

# EXHIBIT 97

**THE LAWS**  
**PASSED AT THE**  
**SPECIAL SESSION**  
**OF THE**  
**TWENTIETH**  
**LEGISLATURE**  
**OF THE**  
**STATE OF SOUTH DAKOTA**

---

Begun and held at Pierre, the Capital of said State,  
on Wednesday, the 22nd day of June, 1927, and  
concluded on Friday, the 1st day of July, 1927.

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**OFFICIAL EDITION**

1929  
STATE PUBLISHING COMPANY  
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**AUTHENTICATION**

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STATE OF SOUTH DAKOTA, }  
Department of State. }

I, Gladys Pyle, Secretary of State of the State of South Dakota, do hereby certify that the laws contained in this volume are true and correct copies of the original enrolled bills, including all emergency bills, passed by the Twentieth Legislature of this state, at the special session thereof, begun and held at Pierre, the Capital of said State, on Wednesday, June 22nd, 1927, and concluded on Friday, July 1st, 1927, as approved by the Governor and now on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, this 12th day of July, 1927.

(Seal)

GLADYS PYLE,  
Secretary of State.

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## Custer State Park

### CHAPTER 12.

(S. B. 8.)

#### PERPETUATION, EXTENSION, MAINTENANCE

AN ACT Entitled, An Act Perpetuating Custer State Park and Providing For Its Management, Extension, Improvement, Maintenance and Control Under the Perpetuated Custer State Park Board, and a Superintendent, and Prescribing Their Powers, Duties and Compensations.

*Be It Enacted by the Legislature of the State of South Dakota:*

Section 1. The Custer State Park as heretofore created, acquired, defined and established is hereby perpetuated.

Section 2. The Custer State Park Board shall consist of three members, each to be appointed by the Governor of the State, for a term of four (4) years providing this shall not operate to lengthen or shorten the term of any of the present members of the Board.

Section 3. Said Park Board shall operate, manage and maintain said Park and shall have the exclusive authority and it shall be its duty to use, manage and control all property, real and personal, belonging to the State of South Dakota, situated and being within the limits of Custer State Park, to provide for the care, maintenance, preservation and improvement thereof and to make and enforce all necessary rules and regulations therefor. The Custer State Park Board is hereby authorized and empowered to purchase or to contract for the purchase, for the State of South Dakota, and secure title thereto in fee simple any lands within the boundaries of said Park, suitable for park purposes, whether owned by private citizens, the government of the United States, or lands held in trust by the State of South Dakota through its School and Public Land Department, or to pay off mortgages existing on such land as are purchased, and to pay taxes now a lien against said land, and shall also have authority to acquire and hold such private property by gift, grant, devise, purchase, lease or condemnation proceedings as shall be located in said Park or adjacent thereto.

The Custer State Park Board is hereby invested with the power of eminent domain and with the power to take or damage private property for public use in the manner provided by law. Provided however, all purchases of land in the park shall be approved by the Governor. The State Treasurer and State Auditor are hereby directed to create a special fund to be called the "Park Land Purchase Fund" and on the first day of July of each year to place such annual appropriation in such fund, there to remain until drawn and expended by the Park Board for the purposes provided in this Section.

Section 4. Said Park Board is hereby authorized to rent common school lands belonging to the State in the manner provided by law or to rent privately owned land, in or adjacent to said park, when deemed suitable or necessary for park purposes, unless or until such lands may be purchased.

It shall be the duty of the Custer State Park Board to protect all the timber lands within the park from fire, whether same be under the control of the State Park Board or lands held in trust by the State School and Land Department.

The State Park Board shall erect and maintain such fire tool boxes and locate the same in such places in the park as to the Board shall seem advisable and to equip the said fire tool boxes with proper fire fighting tools, and to pay for the same out of any funds available.

Section 5. The Park Board is hereby empowered to regulate the speed limit on highways and trails in the park, and to construct such road signs and erect same at such points within the Park or on roads leading to the Park, as to the Board shall seem advisable, and to pay for the same out of any funds available. The Park Board is hereby empowered to erect and maintain a fence around the entire Custer State Park, and to install gates in such fence at such places as it shall deem necessary, and to pay for the same out of any funds available.

Anyone found guilty of violating any of the regulations of the Custer State Park Board shall be guilty of a misdemeanor and punished according to law.

Section 6. The said Board shall have power to maintain or assist in the maintaining of schools within the Custer State Park, and to pay for the same out of any funds available. Providing, that no additional schools shall be established in the park in excess of the revenues derived for school purposes, except upon resolution of the State Park Board advising the school board of its willingness to contribute the necessary funds for the maintenance of such additional school.

Section 7. The members of the Board shall receive no compensation other than their actual and necessary expenses in the performance of their duties, but a secretary may be employed at a salary of not to exceeding one hundred dollars (\$100.00) per month.

Section 8. To encourage the erection of summer cottages and summer homes, the Board is hereby authorized to make term permit or leases for such purposes, but no lease shall be made on the slopes of Sylvan Lake or within view of the Lake; providing that the minimum rental for a lot or home site shall be ten dollars (\$10.00) annually, payable in advance on the first day of January each year. The Board may upon thirty (30) days notice, by registered mail, cancel the lease in case of failure to comply with such permit or lease, or to pay the rental. Provided, further, that no leases shall be made for homes along the highway, but only upon locations designated by the Park Board, surveyed and platted.

Section 9. The Custer State Park Board may contract for and sell timber on any of the state lands in the park, but no sales in any one year shall exceed one hundred thousand (100,000) lumber feet. No trees shall be cut adjacent to the highways, except as may be necessary to improve the appearance or growing conditions. It is specifically provided that any and all timber sale contracts now in force shall be carried out by the said Park Board; provided, that the proceeds derived from the sale of timber shall be placed in the General Fund of the State, except where such timber is from school land, in which case the proceeds shall be placed to the credit of the permanent school fund and applied to the purchase price of said land; provided, further, that in the sale of timber from school and public lands, such sales shall be with the mutual understanding between that department and the Custer State Park Board.

Section 10. Warrants on such fund or funds, not otherwise appropriated, shall be issued by the State Auditor on vouchers approved by two members of the State Park Board.

Section 11. The Park Board shall employ a Superintendent at a salary not exceeding the sum of two thousand four hundred dollars (\$2400.00) per annum, who shall live in the park and devote his whole time to his work. He shall care for the park property, manage and

execute park enterprises and activities, including the construction and maintenance of highways and trails, direct and supervise other employees, manage the park and perform such other duties as the Board may require, all under the direction and control and supervision of the Park Board.

Section 12. The Custer State Park Board are hereby empowered to construct and maintain the necessary highway, roads and trails within the boundaries of the Custer State Park and to use such moneys as are available for such purpose.

The State Highway Commission may enter into cooperative agreement with the Custer State Park Board to carry out this work.

The State Highway Commission may determine the maximum expenses for the construction and maintenance during each year, but no highways, roads or trails shall be built in the Park except such as are designated by the Custer State Park Board.

Or, the State Highway Commission may by resolution at a regular or special meeting, set aside or appropriate from any funds in their control, to the Custer State Park Board, for the construction and maintenance of such highways, roads and trails; provided, that such moneys as are now subject to the order of the State Highway Commission, or will be in the future, are hereby appropriated for such purpose, insofar as the Highway Commission may deem necessary.

In case the State Highway Commission makes such appropriation available for the Custer State Park Board, it shall be done by resolution and a copy shall be filed with the State Treasurer and the State Auditor who shall make the appropriate entries on their books and set aside such money into a special fund to be called the "Park Highway Fund."

The Resolution of the State Highway Commission shall state the maximum amount which they have set aside or appropriated and which they intend to set aside and appropriate for the calendar year, and the Park Board shall govern its work accordingly. Such moneys shall then be paid out on vouchers drawn by the Park Board against the "Park Highway Fund."

The law relating to the construction and maintenance of roads and bridges by the counties, through its Board of County Commissioners, shall, as far as practical, be applicable to the Custer State Park Board for the construction of highways, roads and trails within the park, but this shall not be construed as a limitation of other powers granted in this or other acts relating to the State Park Board.

The Park Board may purchase the necessary right of way for highways and trails and may exercise the right of eminent domain; they may also pay for such right of way from any money in their maintenance or highway funds not otherwise appropriated. No automobile or wagon roads shall be built to the top of Harney Peak nor to a higher altitude than sixty-four hundred (6400) feet.

Section 13.—The Park Board may employ such other employees or assistants as may be necessary for the proper management, maintenance and operation of the park, or for the preservation, care or improvement of park property. A park forester may be employed at a salary not exceeding eighteen hundred dollars (\$1,800.00) per annum, or the Superintendent may be required to act as such without additional compensation.

Section 14. That from and after the passage and approval of this Act, it shall be unlawful for any person or persons to hunt, trap, kill or capture game animals or game birds within the boundaries of the Custer State Park, except under such regulations as may be prescribed from time to time by the Custer State Park Board; and authority is hereby granted

to said Board to permit the hunting, trapping or killing of surplus game animals or birds in said park under such regulations as the Board may prescribe. Also, the Board shall have power and authority to capture or kill game animals, or authorize the same to be done, outside the park that have escaped from its boundaries, when such game animals are doing damage or threatening to do damage to persons or property. Provided, that such regulations shall not conflict with any Act of Congress or any regulations of the Secretary of Agriculture of the United States.

Section 15. Any person hunting, trapping, killing or capturing game animals or game birds within the Custer State Park without first having complied with such regulations as the Board may prescribe, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00) or imprisonment for a period of not to exceed one (1) year, or by both such fine and imprisonment, at the discretion of the Court.

Section 16. It shall be unlawful to carry fire arms in the park, except by duly authorized officers, and it shall be unlawful to permit dogs to run at large.

Anyone violating the provisions of this Section shall be guilty of a misdemeanor and punished according to law for such offense.

Section 17. The Park Board may designate one or more of its employees as game warden. Such warden shall have the power to make arrests for the violation of the game law or any other law and to serve and execute all warrants and processes of law issued by the Court enforcing the provisions of this Act, or any other law of this state; provided, that the same bond and oath of office shall be required as in the case of County Constables.

Section 18. For the purpose of including within the boundaries of the Park, the Stockade and other historic places, the boundary is hereby enlarged by including the N $\frac{1}{2}$  of the N $\frac{1}{2}$  of Section 28, and the S $\frac{1}{2}$  of Section 21, Township 3 S., Range 5 E. B. H. M.

Section 19. Sale of School Lands in the Park. The Commissioner of School and Public Lands shall not advertise for sale, or sell, any school lands in the Custer State Park prior to January 1st, 1938, unless requested by the Custer State Park Board to hold such sale.

Section 20. The Custer State Park Board is hereby authorized and directed to formulate and recommend a state wide plan for a State Park system embracing the different scenic and recreational areas in different sections of the state and report to the next Legislature.

Section 21. The Custer State Park Board shall on the 1st day of January of each year, file with the Governor a report of all funds received from any source during the preceding year and an itemized statement of all moneys paid out, including a report of all lands purchased, the price paid therefor, the lands rented, and the rental paid therefor,—and a detailed report of all property sold or disposed of by the said Board and the price received therefor.

Section 22. All acts, or parts of Acts, in conflict herewith, are hereby repealed.

Section 23. Whereas this Act is necessary for the support of the state government and its existing institutions, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval.

Approved July 9, 1927.

# EXHIBIT 98

UNIV. OF  
STATE PARKS  
*and Recreational Uses of*  
STATE FORESTS  
*in the United States*

By  
RAYMOND H. TORREY  
*Field Secretary*  
*National Conference on State Parks*

REPORT of a survey made by the  
National Conference on State Parks,  
at the request of the National Confer-  
ence on Outdoor Recreation, and made  
possible through a grant by the Laura  
Spelman Rockefeller Memorial, for the  
purpose of determining the extent and  
character of existing facilities for out-  
door recreation provided by State  
agencies and the needs and prospects  
of extending them.

WASHINGTON, D. C.

The National Conference on State Parks

*Member, Federated Societies on Planning and Parks*

1926



session, in a bill to create a State Commission on Conservation and Development, including in its scope the powers and duties now held by the Water Power and Development Commission, the State Geological Commission, the State Geological Survey, the office of the State Geologist and of the State Forester, with power to condemn and acquire land and other property for park purposes. It passed both Houses and will undoubtedly be signed by the Governor.

The commission is to have control of the expenditure of any State advertising funds. It is authorized to examine plans submitted by any person or organization looking to the establishment of a public park within the Blue Ridge Mountain area, this referring to cooperation with the Federal Government in the creation of the proposed Shenandoah National Park. It may also acquire areas or objects of scenic beauty, recreational utility, historical interest, remarkable phenomena, or any other unusual features, which in its judgment should be preserved and maintained for the use, observation, education, health and pleasure of the people, within the limits of any appropriation for such purposes, or of voluntary gifts placed at the disposal of the commission. The property and the income of the commission are to be exempted from taxation. An initial appropriation of \$10,000 was proposed.

## WASHINGTON

The State park movement originated in the State of Washington when the Commissioner of Public Lands, C. V. Savidge, obtained authority from the 1919 Legislature to set aside tracts of State land not to exceed five acres in area for public parks. In 1921 the Washington Natural Parks Association, a voluntary organization, acting in cooperation with influential citizens, secured the enactment of a law creating the present State Parks Committee and giving it authority to acquire, maintain and develop a State Park System. The State Parks Committee consists of the following elective officers: Commissioner of Public Lands, C. V. Savidge, Chairman; Secretary of State, J. Grant Hinkle, Secretary; and State Treasurer, W. G. Potts. H. W. Rutherford is Superintendent of State Parks.

The greater portion of lands now held as State parks has been acquired by gift. The Legislature makes direct biennial appropriation for all park purposes out of the State Park and Parkway Fund. No bonds have been issued or authorized for State parks and as a rule bond issues are not favored, although there has lately been some favorable discussion of a State park bond issue. Ninety-two acres of land have been obtained by condemnation to add to an existing park, without contest of the State's authority. School lands, tide and shore lands have been transferred to the



*Photo by Bert Huntoon*  
Fir-clad, rock-bound shores of Puget Sound—the shingle beach in  
Larabee State Park, near Bellingham, Washington

administration of the State Parks Committee for park purposes and the Commissioner of Public Lands has authority to make such transfers, and may be so directed by the State Parks Committee. One United States Military Reservation of about 1,800 acres, now Deception Pass State Park, was transferred to the State for park purposes in 1922 and Congress has authorized the sale at a minimum price of \$1.25 per acre of another parcel of about 82 acres.

#### ADMINISTRATION OF STATE PARKS

All receipts into the State Park and Parkways Fund are retained in this fund, out of which the Legislature makes regular biennial appropriations. State park revenues come from the following sources: 50 per cent of the fines and forfeitures collected for violation of some of the statutes governing the use of motor vehicles; fees collected from concessions in State parks and from automobile campers; and any donations in cash, so far of small importance. The amount of the first-named source of receipts was seriously diminished during 1925 owing to the cutting down of the highway police, which lessened the number of arrests and the amount of fines. The State Parks Committee therefore sought, in the 1926 Legislative session, for an adequate amount for purchases and maintenance, out of less fluctuating State funds, such as that derived from drivers' licenses, but a conflict between Governor Hartley and the Legislature caused the failure of its efforts. No admission is charged to State parks. Some objection has been encountered to any charges in State parks due to a mistaken impression that the people pay taxes for their support, which is not the case.



Expenditures on the State parks in the 1921-23 biennium, from June 19, 1921, to March 31, 1923, were \$12,988.32; from April 1, 1923, to September 30, 1924, \$35,431.72. Receipts from State parks, from April 1, 1923, to September 30, 1924, from concessions, fees and rentals, were \$1,242.24. Robert Moran, donor of Moran Park, gave \$500 toward the expense of the condemnation of land for an addition to it.

Camping is permitted in all State parks which have been sufficiently developed to allow it. Among the regulations which experience has required for conservation, sanitation, cleanliness and good order are prohibitions against fire arms, unleashed dogs, damaging or removing shrubs and trees, and a speed limit of more than 25 miles an hour. Visitors are required to register.

All State parks now in use are accessible by motor over the highway system or in connection with ferries. Areas have been cleared for camping and picnic purposes, tables, stoves, toilet facilities and water provided. Concessions are granted in some instances, covering groceries, ice cream, confectionery, boating and bathing. There are no hotel concessions. Concessions are limited by statute to a maximum period of five years, those at present being generally of a minor nature, and either on a flat-rate basis or as a part of the consideration for care of the park. All funds received from this source are paid to the State Treasurer to the credit of the State Park and Parkway Fund.

Caretakers and others designated by the State Parks Committee have authority to enforce the laws and park rules and regulations. The season is generally from May 1 to October 1, though parks are sometimes in use earlier. There is no winter use. Definite attendance figures are not available, but in the 1924 season five of the more popular parks showed a registration of 33,640.

#### THE STATE PARKS

The State parks are as follows:

Moran State Park is the largest of Washington's State park system. It was the gift of Robert Moran, a timber owner, of Rosario, Orcas Island, and adjoins his estate on that Island. It contains 2,900 acres. It is reached by ferries from Anacortes and Bellingham. It contains one large lake and has frontage on another, both with good fishing. An open air shelter has been built on Cascade Lake, dressing rooms provided for bathers and boats are available.

Deception Pass State Park is second in size, of 1,800 acres, but largest in the number of registered visitors. It is in Skagit and Island counties, on Whidy and Fidalgo islands, as well as four smaller islands, giving large stretches of salt water frontage.

Larrabee State Park, of about 20 acres, is on the Pacific Highway, eight miles south of Bellingham, and its excellent bathing beach makes it popular with the people of that city.

Bay View State Park is a tract of 12 acres fronting on Padilla Bay, given to the State in 1924 by the Skagit County Agricultural Association.

Twanoh State Park, on the Hood Canal between Union and Bremerton,

# EXHIBIT 99

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# State Recreation

**Parks, Forests  
and  
Game Preserves**

By  
**BEATRICE (WARD) NELSON**  
*Executive Secretary, National Conference  
on State Parks, Inc.*

THIS REFERENCE BOOK IS MADE POSSIBLE THROUGH  
THE COOPERATION OF THE LAURA SPELMAN  
ROCKEFELLER MEMORIAL

NATIONAL CONFERENCE ON STATE PARKS, INC.  
WASHINGTON, D. C.  
1928

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The executive secretary is M. D. Hart, and the office is in the state office building at Richmond.

## **Washington**

The program of this state in the development of state-owned areas is advancing rapidly and covers the three phases of park, forest and game preservation, though under different administrations. State forests have been acquired and the addition of other lands is anticipated. The game system is a complicated one, but it works out admirably and the setting aside of state-owned preserves is planned. There is the beginning of a splendid state park system. Although not as yet including any of the wonderful and majestic mountain peaks that abound throughout the Cascades and Olympics, several of the tracts already set aside contain beautiful and outstanding scenery. Given funds for acquisition and development, Washington will soon possess one of the outstanding state park systems of the country.

### **STATE PARKS**

The state park movement originated when the Commissioner of Public Lands, C. V. Savidge, obtained authority from the legislature of 1919 to set aside tracts of state land not to exceed five acres in extent for public parks. Later in 1919, fostered by the Washington Natural Parks Association, a voluntary organization, acting in cooperation with influential citizens, a law was enacted by the legislature creating the State Parks Committee and giving it authority to acquire, maintain and develop a state park system. The committee is composed of elective officers—the Commissioner of Public Lands, the Secretary of State, and the State Treasurer.

Under the law the State Park Committee has authority to purchase, lease and accept gifts of land for park purposes, with the provision that land purchased must abut upon a public highway actually constructed, located or projected. Should it be desirable to acquire land not on a public highway, the acquisition must be specifically authorized by the state legislature. The committee also has authority to condemn land it desires for park purposes, should it prove impossible to purchase a necessary tract at a price it deems reasonable. Condemnation proceedings are to be conducted by the Attorney General.

Timbered lands may be withdrawn from sale by the Commissioner of Public Lands on his own motion and must be if the committee so directs. When once withdrawn they can not be sold without legisla-

tive consent. In the meantime they are subject to the control and supervision of the committee.

Any state-owned land, or land acquired from the United States, which is not subject to limitations as to manner of sale or disposition of funds, may be exchanged for other lands of equal value along public highways, and the chairman and secretary of the State Park Committee are empowered to issue deeds of conveyance.

The greater portion of the lands now held in park ownership have been obtained by gift. Only 92 acres have been secured by condemnation, and, as there was no contest in this instance, only the value of the land being involved, the experience of the committee in this method of acquisition is very limited. School lands, tide and shore lands have been transferred to the administration of the State Park Committee for park purposes, and the Commissioner of Public Lands has authority to make such transfers and may be directed to do so by the State Parks Committee. One United States military reservation, now the Deception Pass State Park, has been transferred to the state for park purposes, and Congress authorized the sale at a minimum price of \$1.25 per acre, of another parcel of Government land. No bonds have been issued or authorized for state parks and this method is not favored by the state. However, in 1925 the Natural Parks Association asked the legislature to pass a \$1,500,000 state park bond issue act, but this effort failed because of the decision to shorten the session.

Washington is badly in need of sufficient appropriations to properly administer and develop her park system. To carry out the purposes of the park act the sum of \$50,000 was appropriated at the time of its passage. Funds for park use have since been deposited in the state and parkway fund, out of which the legislature makes regular biennial appropriations. This fund now is made up of 75 per cent of the fines and forfeitures collected for violation of the motor vehicle act, outside incorporated cities and towns; fees collected from concessions in state parks; from automobile campers; and donations of cash to the fund. The latter is of slight importance. Practically all the funds for administration come from the first source, and this fund is a fluctuating one and one which has seriously diminished during the past few years. If the activities of the highway patrol, result in bringing the total fines and forfeitures to an amount equal to the appropriations, then the parks and parkway fund is entitled to that amount of money, but in no event to exceed the appropriation or the amount earned. In 1923 the legislature appropriated \$125,000 out of the fund, expenditures, of course, to be restricted to whatever



money was in the fund. Up to September, 1924, only a little over \$40,000 had been paid into the fund and this was not all available at any one time. In 1926 the State Park Committee endeavored to have the legislature authorize funds from the drivers' licenses, but was unsuccessful. At the last session of the legislature special bills appropriating \$225,000 for park purposes were passed, but both measures were vetoed by the Governor, leaving the State Parks Committee with only \$50,000 for the biennium ending 1929. And this sum will only be available should the total of fines and forfeitures for violation of the motor vehicle act, together with receipts from the parks, reach that amount.

The Superintendent of Parks has recently recommended that efforts be directed toward amending the provisions of the law providing funds for park work so that all fines and forfeitures for offenses committed within or without incorporated towns and cities shall be paid into the state park and parkway fund. This, it is thought, would more than double the present income.

Camping is permitted in all state parks but there is no hotel development. A fee of 50 cents per car per night is charged, since tourists are provided with water, sanitary facilities, stoves, wood and police protection. Lunch and picnic parties are permitted to use the parks free of charge. Concessions are granted in some instances covering groceries, ice cream, confectionery, boating and bathing. These concessions are awarded upon such terms as the committee believes desirable, but not for longer than five years.

The caretakers of the park, and other employees whom the committee may care to designate, are vested with police powers to enforce the laws and the rules and regulations. Among the regulations are the prohibition of firearms and unleashed dogs, and provisions against injuring or destroying trees or shrubs, property in the park, and the building of fires, except in specially designed places.

There is no admission charge to state parks. The committee has found some objection to the charge of a camping fee, but this seems to be due to an erroneous belief that the parks are supported through taxation.

The addition of park areas to the present holdings is discouraged by the State Parks Committee, until the state has funds available for their adequate administration and development.

The Washington State Parks Committee is composed of Clark V. Savidge, chairman, Commissioner of Public Lands; J. Grant Hinkle, Secretary of State; and W. G. Potts, state treasurer. Harry A. Young is the State Park Superintendent, with offices in Olympia.

*Washington*

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## PROPOSED PARKS

Several tracts are definitely recommended by the State Park Superintendent for inclusion in the park system. These proposed parks contain all the features necessary to make them ideal for such use, and it is hoped ample provision will be made by the legislature for their acquisition.

The Dry Falls of the Grand Coulee, located westerly of Coulee City, Douglas County, is one of the most interesting. The Coulee itself is cut from 700 to 1,000 feet deep, in many places through solid rock. The Dry Falls drop several hundred feet, the estimated depth of water at the crest just previous to the drop being over 50 feet.

Palous Falls, northeast of Pasco, will be added to the state park chain, if the efforts of citizens in the locality to acquire sufficient land for a state park are successful. The falls are approximately 200 feet high, and present a scene of beauty and charm.

Another proposed park in Steptow Butte, a few miles north of Colfax, from whose summit a most commanding view of all the southeast is visible.

One of the large U. S. military reservations in the state is to be abandoned by the War Department and offers an excellent opportunity to add to the park system. Fort Townsend Military Reservation is situated on Port Townsend Bay, Jefferson County, and contains 614 acres. This reservation is easy of access, with plenty of timber and good water, and of good recreational possibilities, though not of great scenic beauty.

## A FORESTED STATE PARK

Due to the unselfish interest, the enthusiasm and the public-spiritedness of the Washington Federation of Women's Clubs, another beautiful spot has been added to the state park system.

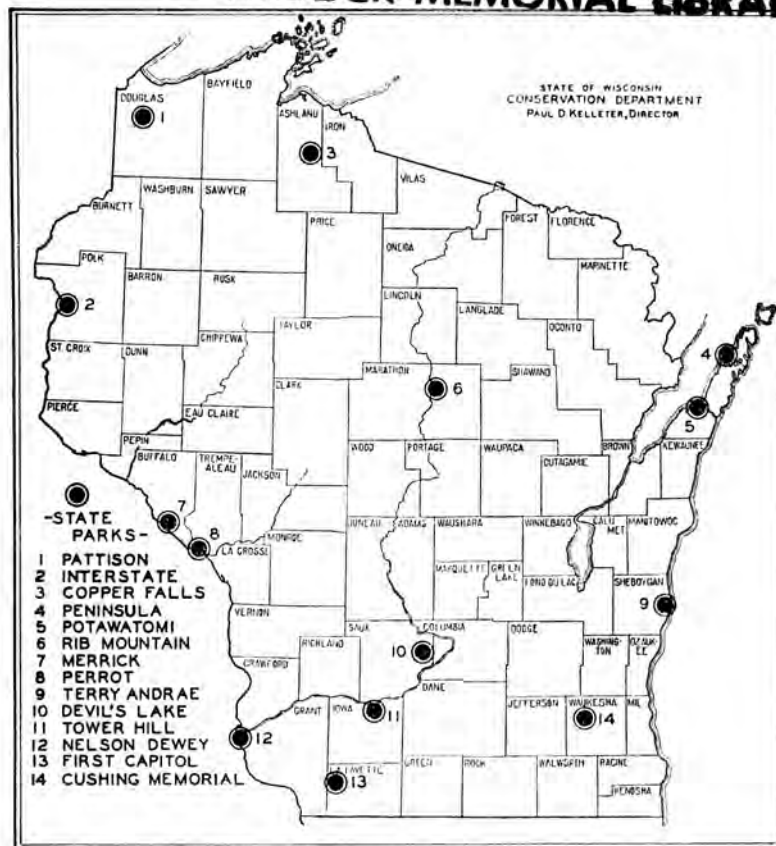
Realizing the importance of acting while there remained a few stands of virgin timber this Federation of Clubs for several years has been heroically working for the preservation of a magnificent stand on the Sunset Highway between Camp Joy and Denny Creek. The area comprises approximately 62 acres and contains many magnificent specimens of Douglas fir, and a splendid stand of cedar, hemlock, annabilis fir, and a small amount of white pine. Located on the Sunset Highway which bears the burden of traffic between eastern and western parts of the state, this park will afford enjoyment to great numbers of people.



# **EXHIBIT 100**

# Wisconsin State Parks

## STEENBOCK MEMORIAL LIBRARY



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MADISON, WISCONSIN  
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## MERRICK STATE PARK

Merrick State Park, located about a mile northwest of Fountain City in Buffalo county, is the newest unit in Wisconsin's state park system. It consists of several hundred acres of wooded bottomlands having a long frontage on Fountain City bay of the Mississippi river. The area for many years before its establishment as a state park, was popular as a picnicking and camping grounds.

Fountain City bay within the park offers the best swimming sites of any lake or river in the vicinity. Swimming and water sports are the principal attractions in Merrick State Park.

The park is well wooded with soft maples, river birch, white elm, and other tree species common to the north Mississippi river.

Merrick State Park was named in honor of the late George Byron Merrick, old time Mississippi river pilot, historian and author. It is particularly appropriate that this river park be named after such a famous pilot and author.

## RULES AND REGULATIONS FOR STATE PARK

**Note:** In order that the natural beauty of each state park may be maintained, and for the preservation of order and proper sanitation, the conservation department requests the active co-operation of all park visitors. The state parks of Wisconsin are for the use of the public, subject to the following rules and regulations:

- (1) Trees, shrubs and plants must not be dug up, broken off, peeled, or otherwise disturbed. Carving or writing on, or in any building, or on rocks, or the removal or defacement of signs, driving of nails in trees, and similar practices are destructive and unlawful.
- (2) Build fires only at designated fireplaces. Care should always be used with matches, cigarettes, or pipe ashes.
- (3) Receptacles are placed on the park grounds for refuse, garbage, and other waste materials. Please use these receptacles.
- (4) All campers must secure a permit at the office of the park superintendent to camp on park grounds.
- (5) Park roads are not speedways. A speed of not to exceed 20 miles per hour should be maintained on park roads.
- (6) State parks are wild life refuges. Hunting, trapping, or the carrying or using of firearms is strictly prohibited. Dogs are not permitted to run at large in state parks.
- (7) Glass, tin cans, junk or refuse of any kind must not be thrown into the water. The bathing of dogs, washing of automobiles or clothes, or like pursuits in any lake or river in state parks is prohibited.
- (8) Rowdiness in deportment, profane language, or improper conduct will not be tolerated on the grounds of any state park.

Persons who violate any of the foregoing rules will be summarily removed from the park and prosecuted. The park superintendent is authorized and directed to enforce these rules and regulations in accordance with the law governing state parks.

Wisconsin Conservation Department.

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# EXHIBIT 101

ANNUAL REPORT OF THE  
COMMISSIONERS OF THE  
DISTRICT OF COLUMBIA  
YEAR ENDED JUNE 30, 1908

Vol. I  
REPORT OF COMMISSIONERS  
MISCELLANEOUS REPORTS



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1908



## REPORT OF COMMISSIONERS OF DISTRICT OF COLUMBIA. 85

shall be returned to the inspector of plumbing for numbering and then to the auditor for file.

It shall be the duty of the inspector of plumbing to see that bonds are properly renewed to cover the term of license or relicense, and the inspector of plumbing shall notify plumbers thirty days in advance of the expiration of their license to apply for new license and when such new license is granted to see that new bond is filed to cover new license period.

It shall be the duty of the inspector of plumbing to notify the permit clerk in cases where licenses and bonds have expired and where no new licenses have been issued, and the permit clerk will not issue permits to such plumbers until they have obtained a new license and furnished a new bond.

(L. R. 13397-7 E. D.) (L. S. 164625 C. O.)

DECEMBER 23, 1907.

*Ordered:* That the following regulations of the board of control of Rock Creek Park are hereby made as Article XXV of the Police Regulations of the District of Columbia, and the title of the article of said regulations now numbered 25 is changed to number 26.

## REGULATIONS FOR ROCK CREEK PARK.

The Commissioners of the District of Columbia and the Chief of Engineers of the United States Army, by virtue of the authority vested in them by the act of Congress approved September 27, 1890, do hereby make and publish the following regulations in regard to the use of roads, paths, and bridges, etc., by the public in Rock Creek Park, and the preservation from injury or spoliation of the timber, and animals and curiosities therein, and their retention in their natural condition:

1. No person shall drive or ride on any other part of the park than the roads or bridle paths.

2. No person shall ride or drive within the park at a greater rate of speed than 12 miles an hour. Bicycles and automobiles shall not exceed this rate.

3. No dog will be allowed in that portion of Rock Creek Park lying south of Military road, unless such dog is in leash.

4. Within the limits of the park all persons are forbidden:

(a) To carry or discharge firearms, firecrackers, rockets, torpedoes, or other fireworks.

(b) To turn in or let loose any dogs, cattle, horses, or other animals, and whenever dogs, cattle, horses, or other animals turned in and let loose as aforesaid shall be found therein it shall be the duty of any officer in said park to impound all such cattle, and every such dog, horse or other animal, and to forthwith notify the poundmaster of the District of Columbia.

(c) To cut, break, or in any way injure or deface any trees, shrubs, plants, buildings, bridges, monuments, structures, rocks, fences, benches, or other apparatus or property thereof, or to write upon the same, or to affix thereto any bill, notice, or other paper.

(d) To cut or remove any wood, turf, grass, soil, sand, gravel, or rock.

## 86 REPORT OF COMMISSIONERS OF DISTRICT OF COLUMBIA.

(e) To bathe in or pollute the water of any spring, stream, lake, or pool.

(f) To make or kindle a fire of any kind.

(g) To expose for sale or sell any article without the written permission of the board of control.

(h) To chase, snare, catch, injure, destroy, or maltreat any rabbit, quail, fish, birds, or any animals, either wild or domesticated.

(i) To camp, lodge, or tarry overnight.

(j) To hitch or fasten any horse or other animal except at such places as shall be provided for that purpose.

(k) To gather, meet, or assemble by advertisement for any purpose, except that any large assembly or organization which is desirous of resorting to grounds of the park for the purpose of picnicing or other like purpose may do so after receiving a written permission therefor from the board of control.

5. Any person violating any of the provisions of the foregoing regulations shall, on conviction thereof in the police court, be punished by a fine of not less than five nor more than fifty dollars for each offense.

6. Whenever or wherever applicable and not inconsistent with the foregoing, the various police regulations of the District of Columbia are to be strictly observed within the limits of the park, as elsewhere in the District of Columbia, and the same are hereby referred to and made a supplementary part of these regulations, for the purpose herein named.

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DECEMBER 31, 1907.

*Ordered:* That section 5 of Article VIII of the Police Regulations of the District of Columbia is hereby amended to read as follows:

SEC. 5. No person shall shake, beat, or otherwise treat carpets, rugs, floor coverings, garments, cloths, linings, covers, furniture, or other articles, or otherwise treat carpets, rugs, floor coverings, garments, cloths, linings, covers, furniture, or other articles in such manner as to cause dust to arise therefrom in or upon any street, avenue, park, square, road, or reservation in the District of Columbia within 200 feet of any house used for human habitation, occupation, or assembly; nor shall any person sift, shake, or otherwise treat ashes or other rubbish in such a manner as to cause dust to settle on other premises.

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JANUARY 2, 1908.

*Ordered:* That the building regulations of the District of Columbia are hereby amended by adding thereto, immediately after section 162, the following section to be known as section 162a:

SEC. 162a. No gas, gasoline, naphtha, or other explosive engine shall be installed in the District of Columbia without having first obtained a permit therefor from the inspector of buildings of said District; and when any such engine is installed in any building, the exhaust pipe therefrom, if carried into the chimney of said building, shall extend to a sufficient height to discharge or exhaust into the open air, and if said pipe shall pass through the floor of any building, proper precautions shall be taken to insure safety, as required by these regulations. No air compressor, or similar machinery, to be

# **EXHIBIT 102**



SB  
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DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME III  
NORTH DAKOTA - WYOMING  
TERRITORIES - INSULAR POSSESSIONS



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936



## V I R G I N I A

## I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the State Commission on Conservation and Development of the Department of Conservation and Development (Acts of 1926).
Members; appointment; terms.	The Commission consists of five members, appointed by the Governor, subject to confirmation by the General Assembly, for four year terms (rotated). One member is designated by the Governor as Chairman; the Commission may elect one of its members as Vice-Chairman; also appoints an executive Secretary and Treasurer. The Chairman is required to devote his full time to the performance of his official duties and receives a salary fixed by statute. The other members are paid traveling and other necessary expenses in attendance upon meetings or while otherwise engaged in the discharge of their official duties; also the sum of \$10 a day for each day or portion thereof while so engaged (as amended 1934).
Powers and duties.	The Commission is vested with the following powers and duties (Acts of 1926, as amended);
Rules and regulations.	To adopt rules and regulations for its own organization, the proper disposition and administration of any property to which it may acquire title or over which it may have control, and for the conduct of its business and the exercise of its powers;
Divisions; Directors.	Note: Administrative divisions have been established as follows, each headed by a Director appointed by the Commission and confirmed by the Governor: <div data-bbox="613 1341 1196 1524" data-label="List-Group"> <ul style="list-style-type: none"> <li>Division of Parks</li> <li>" " Forest Service</li> <li>" " History and Archaeology</li> <li>" " Geological Survey</li> <li>" " Publicity and Advertising</li> <li>" " Water Resources and Power</li> </ul> </div>
Acquire areas, lands, etc.	To acquire by gift, purchase, or by eminent domain, areas, properties, lands, or any estate or interest therein, of scenic beauty, recreational utility, historical interest, remarkable phenomena, or any other unusual features, which in its judgment should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of Virginia. Such power and authority of acquisition to be within the limits of any appropriation, or of voluntary gifts or contributions for such purposes;
Limitation.	

Therefore, be it resolved by the House of Delegates (the Senate concurring therein) that the Governor be, and he is hereby authorized to continue the State Planning Board, as it now exists, with the right to change the membership thereof at pleasure, in order to cooperate in aiding to effectuate Virginia's cooperation with the purposes of the National Planning Board.

Under the authority of the above Resolution, the Board appointed by Governor John Garland Pollard (Governor in 1933) was reappointed by Governor George C. Peery (who took office in January, 1934).

#### VII. EXCERPTS FROM REGULATIONS GOVERNING PARK PERSONNEL.

The Custodian has been instructed to see that the public observes the following rules, which are quoted from rules and regulations for park personnel:

1. Drunkenness will not be tolerated on the park property and persons found guilty of this offense will be requested to leave the park. The Custodian and his assistants will see that this rule is rigidly enforced, but tact must be observed to prevent scenes likely to be objectionable to other visitors.
2. Any breach of the moral codes will be treated in a like manner.
3. Any person or persons who conduct themselves as to constitute a nuisance to other users will be firmly but courteously requested to desist. Should they persist, the Custodian will request them to leave the park.
4. The speed laws must be enforced. Any person driving in the parks to the common danger or under the influence of liquor is to be reported to the proper authorities.
5. Breaches of game laws will be reported to the proper authorities.
6. The carrying and use of fire arms is prohibited.
7. Great care is to be taken that unseemly noise and conduct at night which will affect the comfort of others does not occur.
8. Safety measures and rules governing the same for bathing and boating will be observed and it shall be the duty of the life guard to see that they are enforced and it shall be the duty of the Custodian to see that he does so.

The methods that will be adopted by each custodian will of course vary, and it will be found that in the main the public will observe the regulations that it is necessary to impose if the custodian will instruct his subordinates to avoid the use of the word "don't". It is better to secure the cooperation of the public by courteous explanation and so win their support than to threaten, but should it become necessary to enforce regulations when courteous methods have failed, firmness is expected.



#### VIII. LETTER TO PATRONS OF PARK CABINS.

In welcoming you to our park we wish to express our appreciation of your patronage and hope that your stay with us will be a very happy one and upon leaving, it may be with regret.

In making these cabins available to the use of the public at the present rates, the State Commission on Conservation and Development is only able to do so as long as we receive cooperation of the persons using them. I am sure you will appreciate that maintenance and operating costs are only just covered by the rental which you pay for your cabin. It is our earnest desire that the enjoyment that we hope you will receive may be also available to others under like conditions. This can only be possible if we are able to keep our operating costs down to a minimum.

We, therefore, ask for your full cooperation in order that not only may we be able to continue to make these cabins available for your pleasure at the present prices, but possibly develop more.

We ask that you aid us by keeping all equipment as clean as possible, and upon leaving that you leave the cabin, china, kitchen utensils, etc. in a clean condition. Only by so doing shall we be able to continue renting these cabins at this price.

Any additional labor costs that are involved will mean operating at a loss and necessitate an increase in the rental of these cabins.

We are anxious to receive your comments on our parks and appreciate constructive criticism at all times. Your comments will aid us in our problems.

Sincerely trusting that we may have your cooperation, I am

Yours very truly,

(Signed) R. E. BURSON  
Director of Parks

#### IX. INSTRUCTIONS TO PARK VISITORS.

All visitors are expected to observe the following rules in order that the park may be preserved for your enjoyment. Your admission fee and co-operation will ensure this.

Do not injure or damage any structure, rock, tree, flower, bird or wild animal within the park.

Firearms are prohibited at all times.

Dogs must be kept on leash while in the park.

There shall be no vending or advertising without permission of the Department of Conservation.

Fires shall be built only in places provided, visitors must put waste in receptacles provided for that purpose.

Motorists will observe speed limits as posted in the park and park in areas designated for parking.

Bathing is limited to such places and times as designated by the Division of Parks.

Drinking water should be taken only from hydrants or fountains provided for that purpose. This water supply is tested regularly for purity.

Please build fires only in designated places and see that cigars or cigarettes are out before they are thrown away.

Break your match before you drop it.

# **EXHIBIT 103**

Forestry

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME I  
ALABAMA - MISSISSIPPI  
INDEX

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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F O R E W O R D

In response to numerous requests by park and conservation authorities, the National Park Service has undertaken the compilation of a digest of all State park and recreation laws of a general and permanent nature.

In preparing the digest, special attention has been given to the important consideration of making it as convenient as possible for the reader who desires to know the law generally, or who may seek the law on a particular subject as it relates to recreation.

We acknowledge our indebtedness to the various local authorities who have not only reviewed the digest of their respective States as to completeness and accuracy, but have also materially contributed to its value by furnishing the various Rules and Regulations and other pertinent material not available through statutory research.

If this digest meets the recognized need for a convenient reference of the provisions of the laws now in force and effect, no greater commendation need be sought.

Arno B. Cammerer  
Director  
National Park Service

December, 1936.



A L A B A M A

I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction, control and charge of the State Commission of Forestry (Acts of 1927, 1935).
State Commission of Forestry; how appointed; terms of office.	The Commission consists of the Governor (as ex-officio Chairman), the Commissioner of Conservation, three practical lumbermen who are owners of timberland and engaged in the manufacture of lumber, and two farmers who are land-owners. Appointments are made by the Governor. Appointive members are to serve during good behavior, and without compensation, but receive expenses incident to official duties. Vacancies are filled by the remaining members, the same ratio of lumbermen and farmers being maintained. The State Forester serves as Secretary.
Secretary.	
	Note: The State Constitution provides that "no office shall be created, the appointment to which shall be for a longer time than during good behavior."
Duties of Commission; report to Governor.	The Commission is directed to inquire into and make annual reports to the Governor upon forest conditions in Alabama, with reference to the development, protection and use of forests; the economic, social and cultural benefits to be derived from the existence and operation of forests, and the use of forests for public purposes (Code of 1923, as amended by Acts of 1935);
Report to Legislature; recommend legislation.	Is required to report to each regular session of the Legislature the results of its investigations, and recommend necessary legislation with reference to forestry and other interests devolving upon it by law (Code 1923);
Educate the public.	Is directed to promote, so far as it may be able, a proper appreciation, among all classes of the population, of the benefits to be derived from forest culture, preservation and use;
Survey and classify lands.	Is required to ascertain the description and location of all lands to which the State holds the legal title for itself, or as Trustee (classified by law as "forest reserves"), and all State parks. The lands are to be classified as "used" or "unused" lands, showing the manner in which title was acquired, character of the land; that is, whether chiefly valuable for agriculture, mining, timber culture or other use, and the use to which it is being put (Acts of 1927);

"Used and "Unused" lands defined.	Note: "Used lands" are those being utilized for the specific and immediate purposes of the State. "Unused lands" those not being so utilized, and which are not contiguous to the premises of any department, institution or State building.
Acquire other lands.	Also ascertain what, if any, lands the State is entitled to have which have not been received, and to take immediate and appropriate action to acquire the same for the State;
Unused lands for State parks.	As to all unused lands owned by the State, it is to determine which are most suitable for forest culture; and at the direction of the Governor, such lands are to be devoted to forest culture as State forests, or to the purposes of State parks;
Consolidate lands.	Where any of the lands of the State are scattered, it is to determine if such ownership may be consolidated by the exchange of such lands with individual owners;
Acquire areas by gift, purchase, condemnation.	For the purpose of establishing, developing, and maintaining State forests and State parks, the Commission may acquire land by donation, purchase or condemnation, and for these purposes may use such funds as may be available to it (Acts of 1935).
Additional areas; made available through tax delinquency.	Under the provisions of an Act of 1933, all lands purchased by the State at tax sales have been subject to redemption at any time before title passed out of the State. In order to make additional areas available for park and forest purposes, this law was superseded by Act of 1935, which provides that real estate bid in by the State at tax sales shall, after three years from date of sale, be subject to conveyance to the Commission of Forestry whenever the Commission determines any such lands to be suitable and desirable for use as a State park or State forest, or for the purpose of exchange for other lands which may be suitable for park or forest purposes. The State Land Commissioner may also transfer lands to the Commission without application by the latter whenever it is deemed to the best interests of the State to do so. Conveyances and transfers may be effected without public advertisement and bids.
Bureaus.	Administrative bureaus have been established by the Commission as follows: <ul style="list-style-type: none"> <li>Bureau of Park Service</li> <li>Bureau of Field Service</li> <li>Bureau of Research and Lands</li> <li>Bureau of Silviculture</li> <li>Bureau of Public Relations</li> <li>Bureau of Administration</li> </ul>



- Bureau of Park Service. The function of the Bureau of Park Service, which is under the direction of the State Forester, is to plan and perfect a State Park System, acquire additional lands for park purposes, the promulgation and enforcement of rules and regulations governing the occupancy and use of State parks, and to provide coordinating personnel and other facilities in connection with State Park ECF activities.
- Rules and regulations. The Commission is authorized to make such rules and regulations for the administration, occupancy, and use of State forests and State parks as it finds necessary (Acts of 1935), and
- Cooperation with Federal Government. Is further authorized to make such rules and regulations for the development, maintenance, management and operation of forest and park enterprises entered upon by the State, counties and municipalities, as will make possible the securing of loans or other financial cooperation from any agencies of the Federal Government (It).
- State Forestry Fund. All occupation licenses or privilege taxes imposed for engaging in any business dealing with timber or timber products, and all fines and forfeitures imposed for violation of forestry and timber laws, are designated as the State Forestry Fund, for the exclusive use of the Commission in carrying out the powers and duties devolving upon it by law (Code of 1923). The Legislature has also appropriated
- Appropriations. sums for acquiring park and forest lands.

## II. STATE PLANNING.

- Commission. A State Planning Commission was established by Acts of 1935, to be composed of appointive members and certain State officers, including the State Forester.
- Duties and authorities. It is the duty of the Commission to provide for State planning of all public works and uses of land which are to be constructed or acquired with State funds, or located, constructed, or authorized by the State; all local improvements which under the statutes are required to be submitted to State authorities; also all projects of State magnitude, even though the construction and financing are to be done by local authorities exclusively;
- Such planning is to include, among other things, highways, parks, reservations, forests, and wildlife refuges;
- Following adoption of the master plan, no State public highway, park, forest reservation or other State way or ground may be acquired or constructed until first submitted to the Commission for its report and advice.

III. RULES AND REGULATIONS GOVERNING CABIN OCCUPANCY.

1. References may be required of applicants prior to leasing cabins.
2. All payments shall be made in cash in advance (checks not acceptable).
3. There will be no rebates or refunds for any reason.
4. Any application for the renting of cabins may be rejected without explanation.
5. The lessee is responsible for maintaining cabin and premises in clean, sanitary and presentable condition.
6. Cabins shall not be used for illegal, immoral or discreditable purposes, either by the lessee or by other occupants or visitors. Violation of this rule shall constitute ground for the cancellation of the contract without rebate or refund.
7. Lessees are required to conduct themselves in an orderly and civil manner with due consideration to other persons on the Park area.
8. Fire-arms are rigidly excluded from State Parks, and the possession of such on the premises by renters or lessees is sufficient ground for cancellation without rebate or refund.
9. Dogs, except constantly under leash, are not permitted in the Parks.
10. Requests for reservations must be accompanied by full payment for the period of occupancy desired. Should the accommodations requested not be available the remittance will be returned to the applicant. Should the accommodations be available, the remittance will be held to apply beginning the date for which the reservation is requested.
11. Any cabin that has been furnished will be available only at the higher rate specified; it is not practicable to move out furniture for the purpose of permitting an applicant to obtain a lower rate. If no unfurnished cabins are vacant only furnished cabins at the higher rate will be leased.
12. During short occupancy periods (one week or less) transfers from one cabin to another will not be permitted except upon full payment of the original contract and execution of a new contract with full cash payment. During longer occupancy periods, consideration will be given requests for such transfers at the discretion of the Park authorities, and no additional charge will be made.
13. It is called to the attention of lessees and other occupants of State Parks that such areas are by law State Forest Reserves and wild life refuges. No trees, wild flowers, shrubs, vines or ferns may be dug up, broken off or removed from the Park area. Birds and wild animals must not be hunted or harmed.



14. Lessees and other occupants are required to refrain from setting fire to State Park property, and in the event of fire breaking out are expected to use every effort to extinguish the fire as quickly as possible.

# **EXHIBIT 104**

Forestry

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME I  
ALABAMA - MISSISSIPPI  
INDEX

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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F O R E W O R D

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If this digest meets the recognized need for a convenient reference of the provisions of the laws now in force and effect, no greater commendation need be sought.

Arno B. Cammerer  
Director  
National Park Service

December, 1936.



## C A L I F O R N I A

## I. STATE PARKS.

Jurisdiction.	State parks are under the jurisdiction of the Department of Natural Resources, acting through the State Parks Commission (Acts of 1927).
Director; appointment; term.	The Department is under the control of an executive officer designated as the Director of Natural Resources, and who is appointed by and to hold office at the pleasure of the Governor.
Organization of Department.	The work of the Department is divided among Divisions, as follows:
Division of Parks.	<u>Division of Parks</u> , to be administered through a Chief appointed by the Director upon nomination by the State Parks Commission.
State Parks Commission; appointment; terms.	General policies for the administration of the State park system are to be determined by the State Parks Commission. The Commission consists of five members, appointed by and to hold office at the pleasure of the Governor.
Division of Forestry.	<u>Division of Forestry</u> , to be administered through a Chief (who is also designated as State Forester) appointed by the Director upon nomination by the State Board of Forestry.
State Forestry Board; appointment; terms.	The Board of Forestry consists of seven members, appointed by and to hold office at the pleasure of the Governor. It determines general policies for the guidance of the Division.
Division of Fish and Game; Commission.	<u>Division of Fish and Game</u> , to be administered through a Fish and Game Commission of three members, appointed by and to hold office at the pleasure of the Governor (1933).
Division of Mines; Board.	<u>Division of Mines</u> , administered through a Chief appointed by the Director upon the nomination of the State Mining Board. General policies of the Division are determined by the Board, consisting of five members appointed by and to hold office at the pleasure of the Governor.
Compensation.	The Director is paid a salary fixed by law. The Chiefs of Division are paid such salaries as may be determined by the Director, with the approval of the Governor. The members of the Commissions and Boards serve without compensation, but are entitled to their actual and necessary expenses incurred in the performance of their duties.

That constitutes State Park system.	All parks, public camp grounds, monument sites, landmark sites, and sites of historical interest created or acquired by the State, or which are under its control, constitute the State Park system; except the grounds known as Sutter's Fort property, the State Fair Grounds in the City of Sacramento, and Balboa Park in the City of San Diego (as amended 1931).
Administration.	The State Parks Commission is directed to administer and develop the State Park system for the use and enjoyment of the public, and is empowered as follows:
Expend funds.	To expend all monies from whatever source derived for the care, protection, supervision, extension and improvement or development of the system;
Acquire property by purchase and condemnation.	With the consent of the Governor and the Board of Control, may acquire by purchase or by condemnation proceedings such real and personal property or any interest therein as it deems necessary or proper for the extension, improvement, or development of the system;
Gifts of land, money, property	May, within its discretion, accept any gift, devise, grant or other conveyance of real property or any interest therein, including water rights, roads, trails and rights of way, to be added to or used in connection with the park system; also to accept by gift, donation, contribution or bequest, money to be used in acquiring real property or any interest therein, or for improving the same as a part of or in connection with the park system, or for any of the purposes for which the Commission is created; also may accept personal property in the same manner for purposes connected with the park system;
City or county may assist State.	Any county, city and county, or city, may assist the State in acquiring any park, playground, recreational center, or beach, to be used for recreational purposes, by donating to the State any real property owned by it or subsequently acquired; and for such purpose may use such of its funds, including funds received by bequest, gift and donation, and those received in trust for the acquisition of such properties, as may be deemed necessary (Acts of 1931);
Counties may condemn lands.	Supervisors of counties are also authorized to use the power of eminent domain to acquire lands for park property for transfer to the State Park system;
State Park Contingent Fund.	All money collected or received from gifts or bequests, or from municipal or county appropriations or donations for the improvement and/or additions to the State Park system are to be deposited in the State treasury to the



credit of the State Park Contingent Fund. All moneys so deposited to be used for the improvement and/or administration of State parks and/or the acquisition of additional lands and properties for the State Park system, in accordance with the terms of the gift, bequest or municipal or county appropriation or donation from which such moneys are derived (as amended 1933);

Contract with cities, counties, etc., for care of lands.

Contracts may be entered into between cities, counties and other political subdivisions of the State for the care, maintenance, and control, for the purposes of the State Park system, by either party to such a contract, of lands under the jurisdiction of the other party, and the expenses of such care, maintenance and control may be paid from the general fund of such city, county or other political subdivision of the State, or from the funds of the Commission, as the case may be;

Revolving Fund.

A Revolving Fund is also created for the use of the Commission. With the approval of the State Board of Control, the Commission may draw from the funds appropriated or the contingent fund without first submitting vouchers and itemized accounts, to a sum not to exceed five thousand dollars, to be used for cash advances, which sum must at any time upon demand of the State Board of Control or State Comptroller be accounted for by the Commission;

Fees and rentals.

State Park Maintenance Fund.

Whenever in its judgment it is practicable to do so, the Commission is directed to collect fees, rental and other return for the use of all State park areas. The amount of such fees to be determined by the Commission and paid into the State treasury to the credit of the State Park Maintenance Fund, to be available for construction, improvements, equipment and maintenance of State parks in such amounts as may be appropriated by the Legislature (Acts of 1933);

Rules and regulations; police powers; penalties.

Is authorized to establish rules and regulations for the government and administration of the park system not inconsistent with law; and may confer on the Chief of the Division of Parks and such other employees as they may designate full authority and powers of peace officers for the parks. Any person who violates the established rules and regulations to be guilty of a misdemeanor;

Reports to Governor; contents.

To gather, digest and summarize in its annual reports to the Governor information concerning the park system and the relation thereto of other available means for conserving, developing and utilizing the scenic and recreational resources of the State;

- Closing camping areas in State parks. The Director of Natural Resources, with the consent of the Governor, may declare closed to camping any area in any State park or forest when, in the judgment of the Director, such declaration is necessary in the interest of public peace or safety.
- Jurisdiction of State forests. Note: All State-owned forests are under the jurisdiction of the Division of Parks; the Division of Forestry is charged with the fire protection of State park areas.
- Hunting on parks. Note: The State Parks Commission has set aside all State parks as game reservations.
- Roadside parks. The Department of Public Works may acquire in fee or in any lesser estate or interest, by condemnation, purchase, lease, donation or dedication, any real property (a) for parks adjoining or near any State highway and/or (b) for the culture and support of trees which aid in the maintenance of the attractiveness of the scenic beauties of such highway (Acts of 1935).
- Park roads. The above Act also provides that whenever jurisdiction over any highway within a State park has been relinquished to the authority charged with the management and control of such park, the State Highway Department may construct, improve or maintain such highway, such construction, etc., to be subject to the approval of the park authority. The cost of construction, improvement and maintenance to be paid from the State highway fund.
- Easements over State park land. The Director of Natural Resources is authorized, upon application by proper authorities and on such terms and conditions as the State Parks Commission may prescribe, to grant easements for public highways over and across State park lands under the jurisdiction of the Department of Natural Resources and the State Parks Commission (Acts of 1933).
- Jurisdiction over State burial grounds. By Acts of 1933, all duties, powers, purposes, responsibilities and jurisdiction of the Department of Finance concerning the State Burial Grounds are transferred to and vested in the Division of Parks.

## II. STATE SURVEY.

- State park site survey. Acts of 1927 directed the Department of Natural Resources, through the State Parks Commission, to make a survey to determine what lands to be suitable and desirable for the ultimate development of a comprehensive, well-balanced State Park System, and to define the relations of such a system to other means of conserving and utilizing the scenic and recreational resources of the State; to make a report to the Secretary of State embodying the results of the survey and to make recommendations regarding the



	means by which such a park system can be acquired. This Act carried an appropriation to be used for the purposes of the Act; also authorized the Commission to accept gifts of money to be similarly used.
Acquire lands for park purposes.	A companion Act also authorized the Commission to acquire, as a part of the State Park System, such lands and other properties as in its judgment are suitable for park purposes.
State park bonds authorized.	For the purpose of meeting the costs of such acquisitions, State bonds in the amount of \$6,000,000 were authorized to be issued, and to be sold from time to time at the direction of the State Park Finance Board (created by the Act), upon resolution presented by the State Parks Commission that such sum is needed in furtherance of the purposes of the Act; Provided, bonds are to be sold only when there has been deposited with the State treasury a fund from private gift, city or county appropriation, or from some source other than appropriation by the state, or the sale of state bonds, equal to the amount to be realized for the project intended to be accomplished from the sale of bonds; except, that the sale of bonds may be authorized when it is shown that half the total value involved in such project has been provided from sources other than State appropriation or the sale of state bonds, in the form of land, timber, or other properties, or in money, or in any or all such properties.
Funds to be antched.	
Exception.	
Referendum.	Note: This Act contained a referendum clause, and received a majority vote.
III. PUBLIC SHOOTING GROUNDS.	
Establishment.	For the purpose of propagating, feeding and protecting birds, mammals and fish, and establishing public shooting grounds, the Fish and Game Commission may (as amended 1933)-
Acquire land and water.	Acquire by purchase, lease, rental or otherwise, and occupy, develop, maintain, use and administer land, or land and water, or land and water rights, suitable for state game refuges, game farms, or public shooting grounds;
Funds for acquiring.	Is directed to expend, in addition to any other money made available by law, for a period of ten years beginning January 1, 1928, not less than one-third of all moneys collected annually from the sale of hunting licenses for the purposes of establishing and maintaining game refuges and public shooting grounds;
Regulations.	Any property acquired to be subject to rules and regulations of the Commission:

Title to property. The acquisition of such property is in no case prohibited because of rights of way, easements and reservations which from their nature, will, in the opinion of the Commission, in no manner interfere with the use of the property for the purpose for which acquired;

Advisory committee. The appointment of a committee to be known as the Game Refuge and Public Shooting Grounds Committee is authorized, to consist of the Director of the California Academy of Sciences, Director of Hooper Foundation for Medical Research of the University of California, and five other members to be appointed by the Commission with the approval of the Governor. Appointive members are to serve at the pleasure of the appointive power and without pay. The Committee is allowed necessary expenses incurred in the discharge of their duties.

Survey. The Committee is directed to make a survey of the State for the purpose of ascertaining the needs for game refuges and public shooting grounds, and report its recommendations to the Commission.

#### IV. STATE PLANNING.

State Planning Board. Acts of 1935 created as a division of the Department of Finance, a State Planning Board, to consist of the Director of Finance, the Director of Public Works, and the Director of Natural Resources, all ex-officio, and five citizens to be appointed by the Governor. The members receive no compensation other than for their reasonable expenses incurred in the performance of their duties. Appointive members serve for three years (rotated). The Board employs a Director of Planning qualified by special training, experience and demonstrated ability in the field of planning;

Members; appointments; terms. Is authorized to cooperate with any persons or organizations interested for devising means to develop the natural and economic resources of the State, and may accept grants from the Federal and State governments or their agencies; also may accept gifts for the purposes of State planning;

Director. Is directed to encourage the extension and correlation of State planning by agencies of the State government and participate in interstate and National planning efforts, both with a view to the benefit to be derived by the larger region or Nation, and by the State. The Board may not exercise any of the powers or duties of any other State department or agency.

Authority of Board.

Correlation.



V. STATE PARK RULES AND REGULATIONS.

California State Park System

This is Your Park

All of California's State Parks have been established for the purpose of preserving outstanding examples of nature's handiwork, for future generations, whether it be Redwood groves, beaches or other areas set aside for the use and enjoyment of all of the people.

That this enjoyment may not be destroyed it is necessary that certain restrictions governing the use of the parks be effected.

In order to preserve the natural beauty of the parks so that the public may enjoy them, please observe the following:

Do not pick flowers nor remove shrubs or small trees and please explain to others you may see violating this rule that these areas are being preserved, not only for our use but for posterity.

Do not destroy State property. It is your property.

Place all garbage and other refuse in garbage cans.

Protect human and wild life from danger by driving vehicles within the limit prescribed by the caution signs. Dogs are not permitted to run loose.

Note: In some parks, dogs are not allowed; therefore, suitable facilities are provided for caring for them at a small cost to the owner,

Firearms are not allowed, and must be sealed or checked at the Warden's Office.

Please confine travel to paths and roads.

Please confine campfires to camp stoves which are provided for this purpose.

Please report to the Warden any suggestions you may have to offer in order that he may use every effort to make your stay in the park enjoyable and comfortable.

# **EXHIBIT 105**



Forestry

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME I  
ALABAMA - MISSISSIPPI  
INDEX

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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F O R E W O R D

In response to numerous requests by park and conservation authorities, the National Park Service has undertaken the compilation of a digest of all State park and recreation laws of a general and permanent nature.

In preparing the digest, special attention has been given to the important consideration of making it as convenient as possible for the reader who desires to know the law generally, or who may seek the law on a particular subject as it relates to recreation.

We acknowledge our indebtedness to the various local authorities who have not only reviewed the digest of their respective States as to completeness and accuracy, but have also materially contributed to its value by furnishing the various Rules and Regulations and other pertinent material not available through statutory research.

If this digest meets the recognized need for a convenient reference of the provisions of the laws now in force and effect, no greater commendation need be sought.

Arno B. Cammerer  
Director  
National Park Service

December, 1935.

## F L O R I D A

### I. STATE PARKS.

#### Jurisdiction.

State parks are under the jurisdiction of the Board of Forestry, operating through the "Florida Park Service."

#### Board of Forestry; members; terms; officers.

The Board was created by an Act of 1927, and is composed of five members appointed by the Governor for four year terms, (rotated). Members receive no compensation, but are paid actual expenses necessarily incurred in connection with official duties. Official headquarters are designated as Tallahassee, but meetings may be held at other points in the State. The Board annually elects a President, Vice-President and Secretary from its members.

#### Federal Aid; CCC camps.

For the declared purpose of cooperating with Federal agencies; to enable the State to more fully qualify for the aid and assistance offered by Presidential Executive orders and Federal legislation providing for the establishment and operation of CCC camps; for the acquisition of State forests and parks by Federal purchases to be paid for by income from the forests or otherwise; and for the establishment, development and maintenance of a system of State forests and parks, the Board is authorized (Act of June 4, 1935);

#### Acquire lands.

To accept gifts, donations or contributions of lands suitable for forest or park purposes, and to enter into agreements with the Federal Government, or any other agencies, for acquiring by gift, purchase or otherwise, such lands as in the judgment of the Board are desirable and suited for State forests and State parks;

#### Funds.

For such purposes, and the utilization and development of such lands, the Board is authorized (a) to use the proceeds of the sale of any product therefrom, (b) the proceeds of the sale of any such land (except the State School Fund's 25%), and (c) such other funds as may be appropriated and available for such uses and purposes;

Note: The State Constitution provides that 25% of the sale of State-owned lands is to become a part of the State School Fund.

#### Limitation.

The Board is prohibited from entering into any agreement for the acquisition of or purchase of land, or for any other purpose which would pledge the credit of or obli-



Accept custody of land.

gate the State to pay any sum of money. It may, however, receive, hold the custody of, and exercise the control of any lands, and use the proceeds derived from the sale of products from, or the use of such lands (except the State School Fund's 25%) for the acquisition, use, custody, management, development or improvement of any lands vested in or subject to its control;)

May sell, lease or exchange lands.

With the concurrence of the Governor and the Trustees of Internal Improvement Fund, the Board may sell, lease, exchange or otherwise dispose of any lands under its jurisdiction when in its judgment it is advantageous to the State to do so in the interest of the highest orderly development, improvement and management of the State Forests and State Parks;

Internal Improvement Fund.

Note: The Internal Improvement Fund was created by Act of 1855, and originally included the remaining unsold portion of the 500,000 acres of land granted to the State by Act of Congress of March, 1845; the proceeds then on hand from such lands previously sold; all proceeds from subsequent sales; also all swamp land or lands subject to overflow granted the State by Act of Congress of September 1850; title to tide lands in certain counties. The object of the grants was to enable the State to reclaim these lands for settlement, cultivation and other internal improvement purposes. The Trustees of the Fund are the Governor, Comptroller, Treasurer, Attorney-General and the Commissioner of Agriculture.

Cooperating Agency.

The Board is designated and authorized as the agent of the State to cooperate with the Federal Government under the provisions of the Clarke-McNary Act; also with all other agencies, interested in proper land use, forest management, conservation, forest utilization and State park development;

Rules and Regulations.

The Board may make rules and regulations and do such acts and things as are reasonable and necessary to accomplish the purposes of the Act.

Appropriation; Purpose.

To assist in carrying out the purposes of the Act, the Legislature appropriated specific funds for State Park and State Forest purposes. The monies appropriated are placed at the disposal of the Governor, to be allocated by him on the recommendation of the Board for the management, development and acquisition of such lands as he may deem desirable and necessary for the expansion of the State forests and State park system.

Governor to allocate funds.

Note: State forest or park lands may be pledged for funds with which to develop or otherwise improve holdings.



## II. FLORIDA PARK SERVICE.

Jurisdiction over State Parks.	Under the provisions of an Act of June 4, 1935, the Florida Board of Forestry was authorized to establish a department of State Parks to be known as the "Florida Park Service", to be administered by the Board for the purpose of acquiring, developing, and administering State parks in cooperation with the National Park Service, other governmental agencies, and the Trustees of the Internal Improvement Fund;
To cooperate with National Park Service.	
Supervision of Service.	The Service is to be operated by and be under the sole and exclusive supervision of the Board of Forestry, using funds specifically appropriated for park purposes and as otherwise provided by law;
Director: National Park Service to certify.	The Board is authorized to employ a Director of the "Service" whose qualifications are certified to by the National Park Service;
Counties may acquire and transfer park lands to State.	The Act also authorizes the Commissioners of any County to acquire by gift, devise or purchase, out of general funds, from individuals, corporations or the United States Government, any lands which are suitable for public parks or for the preservation of natural beauty or places of historic association, and operate the same as public parks; and may convey to the Trustees of the Internal Improvement Fund, or the Board of Forestry for the "Service", any lands acquired for park purposes.
Cooperate with counties.	The Board is also authorized to cooperate with counties in county and State park work.

Note: Dade Memorial Park is under the jurisdiction of a separate Commission appointed by the Governor. This park receives State aid.

## III. PUBLIC SHOOTING GROUNDS.

Acquire lands and water.	The State Board of Conservation (created by Acts of 1933) may, with the approval of the Governor, acquire lands and water by purchase, lease, gift or otherwise, suitable, among other things, for hunting purposes.
Improvement.	May erect such buildings and fences as may be deemed necessary to properly maintain and protect such lands;
Price limitation.	No such lands are to be purchased at a price to exceed \$10 per acre;

Lease shooting privileges; rental price. For the purpose of establishing public shooting grounds, may lease the shooting privileges of lands surrounding game refuges at a price not to exceed 5¢ per acre per year;

On State game lands. Public shooting grounds may also be established on State game lands;

State Game Fund available. Funds resulting from the administration of the fish and game laws are to be used in carrying out the foregoing provisions.

#### IV. STATE PLANNING.

Act approved June 8, 1935, established a State Planning Board, whose functions are:

Studies, etc. To secure, assemble, study, map, plot and chart any and all data pertaining, among other things, to land use, parks, wildlife, and laws relating to social, economic and conservation matters, for the purpose of advising, assisting and recommending to the administrative officers, the legislature and the people plans for future development, welfare and governance of the State, in order that the State's plan of development may be coordinated, its economic resources be conserved and the welfare of the people be promoted;

Master plan. To make and adopt an official master plan, showing the Board's recommendations for development, including, among other things, the location, character and extent of parks, reservations, forests, wildlife refuges; also a land utilization program including the general classification and allocation of the land within the State amongst agricultural, forestry, recreational, soil conservation and other uses and purposes.

County Planning Council. In order to assist the Board in its master plan, County Planning Councils may be formed in the various counties. All council members are to serve without compensation or expense allowance. In addition to assisting the Board, the Council is to make and adopt similar plans for the physical development of the county.

General. In order to promote public interest and understanding of the State and/or county plans and the problems of such planning, the State Board may publish and distribute copies of plans and reports and employ such other means of publicity and education as it may determine; may confer and cooperate with authorities of neighboring States; make a study of and report any planning problems of the counties of the State, municipality or subdivision; furnish advice or reports to any State officer or department; advise the Governor or the Legislature of programs for public improvements and financing, and may prepare and submit proposed legislation for the carrying out of the master plan, including zoning and land-use regulations, and regulations for the conservation of the natural resources of the State.



## V. STATE PARK RULES AND REGULATIONS.

The following rules and regulations for the government of this Park are hereby established. These rules and regulations are promulgated to cover only the Government owned or controlled lands and waters in the Park area.

1. **PRESERVATION OF NATURAL FEATURES AND CURIOSITIES:** The destruction, injury, defacement, or disturbance in any way of the public buildings, signs, equipment, or other property, or the trees, flowers, vegetation, rocks, minerals, animal or bird or other life is prohibited; Provided, that the flowers may be gathered in small quantities when in the judgment of the Superintendent, or other authorized representative of the Florida Park Service, their removal will not impair the beauty of the Park. Before any flowers are picked, permit must be obtained from the Superintendent in charge.

2. **CAMPING:** When the Park is constructed by the Florida Park Service by means of the Civilian Conservation Corps in cooperation with the National Park Service, adequate camping places with pure water and other conveniences will be provided. Until such time no camping overnight or fires of any sort will be permitted except by special permit of the Superintendent or his duly authorized representatives. In such instances the following rules must be carefully observed: Wood for fuel only can be taken from dead or fallen trees. Combustible rubbish shall be burned on camp fires, and all other garbage and refuse of all kinds shall be buried.

3. **FIRES:** Fires constitute one of the greatest perils to the Parks; they shall not be kindled near trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on earth. Should camp be made in a locality where no such open space exists or is provided, the dead wood, grass, moss, dry leaves, etc., shall be scraped away to the earth over an area for five feet around the fire.

Fires shall be lighted only when necessary and when no longer needed shall be completely extinguished and all embers and bed smothered with earth or water, so that there remains no possibility of reignition.

Smoking may be forbidden by the superintendent in any part of the Park during the fire season when in his judgment the fire hazard makes such action advisable.

NOTE: Especial care shall be taken that no lighted match, cigar, cigarette, or burning pipe tobacco is dropped in any grass, twigs, leaves, moss or tree mold.

4. **HUNTING:** The Park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury or taking the eggs of any bird, is prohibited within the limits of said Park. Firearms are prohibited within the Park except upon written permission of the Superintendent.

5. **FISHING:** Fishing with nets, seines, traps or by the use of drugs or explosives or in any other way than with rod, hook and line held in hand, or for merchandise or profit, is prohibited. Fishing in the Park will be permitted only during the open season as prescribed by the State of Florida.

Fishing in waters of the Park is permitted from daylight until dark during the open season as prescribed by the State of Florida. At no time will fishing be permitted between dark and daylight.

6. PRIVATE OPERATIONS: No person, firm or corporation shall engage in any business, or erect buildings in the Park without permission in writing from the Florida Park Service, Tallahassee, Florida, nor shall any person reside or be permitted to reside on Park land without authority of the Florida Park Service, or other authorized representative.

7. CAMERAS: Still and motion-picture cameras may be freely used in the Park for general scenic purposes. For the filming of motion pictures requiring the use of artificial or special settings, or involving the performance of a professional cast, permission must be obtained from the Superintendent of the Park.

8. GAMBLING: Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

9. ADVERTISEMENTS: Private notices or advertisements shall not be posted or displayed within the Park, excepting such as the Park Superintendent deems necessary for the convenience and guidance of the public.

10. GRAZING: The running at large, herding or grazing of livestock of any form on the Government lands in the Park is prohibited except by permit.

11. MISCELLANEOUS: Possession, sale, transportation or manufacture of liquor in the Park, is prohibited.

The possession of dynamite, dynamite caps or blasting fuse is forbidden unless permission in writing has been obtained from the superintendent in advance.

12. FINES AND PENALTIES: Persons who render themselves obnoxious by disorderly conduct or bad behavior may be summarily removed from the Park by the Superintendent or a peace officer.

FLORIDA PARK SERVICE,  
Tallahassee,  
Florida.

Approved January 1, 1935  
(Issued for Lyalka Park)



# **EXHIBIT 106**

Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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Forestry

Compiled By  
ROY A. VETTER  
Assistant Attorney  
National Park Service



## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks	
"	" Lands and Forest
"	" Fish and Game
"	" Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.

Care for and display aquatints.	To have the care and custody of and the duty of displaying, maintaining and preserving the collection of aquatints, colored prints and engravings of Niagara Falls and of the books relating thereto bequeathed to the State (L. 1934);
Sell surplus materials.	Sell and cause to be removed from the reservation all structures, machinery and materials thereon belonging to the State, not required to afford free and convenient access to the reservation, nor for restoring the scenery of the Niagara Falls to and preserving in its natural condition.
Limitation on obligations.	No debt or other obligation may be created by the Commissioners exceeding the amount of money at their disposal at the time; nor may they, or any of them, or any other person, have power to create any debt, obligation, claim or liability except by their express authority.
Gifts of property.	Real and personal property may be granted, conveyed, bequeathed, or devised to and taken by the State in aid of the purposes of such reservation or other State parks and parkways under the jurisdiction of the Commissioners, or to increase the same, and on such trusts or conditions as may be prescribed by the grantors or devisors thereof, provided the same be accepted by the Commissioners.
Purpose of State reservation.	The State reservation at Niagara is to be forever reserved by the State for the purpose of restoring the scenery at Niagara Falls and preserving it in its natural condition, and to be kept open and free of access to all mankind without fee, charge or expense to any person for entering or passing to or over any part thereof.

#### IV. RULES AND REGULATIONS - NIAGARA FRONTIER STATE PARK.

1. Parks under the jurisdiction of this Commission shall be closed at such hours as the Commission shall decide and notices to the public shall be posted to that effect.
2. Children under twelve years of age must be accompanied by an adult or guardian when on park property.
3. No dogs shall be allowed on park property except on leash, and shall not be allowed in bathing areas under any circumstances.
4. No person shall remove, cut, break, or in any way injure or destroy any tree, shrub, plant, flower, or turf within the park system, or interfere with any wild life therein. Nor shall any person dig, remove, carry away or cause to be carried away any turf, sand, earth, rocks, or material of any kind. Nor shall any person destroy, defile, or deface any park property.



5. Papers, garbage, and refuse of all kinds shall be placed in the receptacles provided for that purpose.
6. No person shall post or affix, or cause to be posted or affixed any printed or written bill, placard, sign, advertisement, or other notice upon any tree, post, fixture or structure within the park system. Nor shall any person deface, damage, or destroy any notice of the rules, regulations, ordinances or signs for the Government of said park system which shall have been posted by order of the Commission.
7. No picnics shall be held upon park property except at such places as are designated by signs.
8. The following acts and activities are prohibited within the park areas under jurisdiction of this Commission except by permit:-  
The possession of any firearms and fireworks of any kind; making or building fires except in fireplaces provided by park authorities; carrying any musical instrument; carrying or displaying flags, banners, placards of any kind; delivering speeches or orations; holding parades or other demonstrations; conducting religious or other ceremonies; soliciting alms or contributions for any purpose; the taking of commercial equipment for the taking of motion and sound pictures.
9. No person shall disobey an order of a park patrolman or other park official when such official is engaged in the enforcement of a State or park ordinance; nor shall he use bad, obnoxious or indecent language, nor act in a disorderly or suspicious manner.
10. No intoxicating liquors or beverages shall be brought, caused to be brought, or drunk within the limits of the State parks, nor shall any intoxicated person enter or remain upon any portion of the park system, except that intoxicating liquors and beverages may be sold by such persons and at such places as may be specifically authorized by the Niagara Frontier State Park Commission.
11. No booth, tent, stall, stand, or other structure shall be erected for any purpose, and no begging, hawking, peddling, advertising, or soliciting shall be done; nor any article or service be advertised, or caused to be advertised or offered for sale, or hire, within the property limits of lands under the jurisdiction of this Commission, except by written permit of the Commission.
12. No commercial vehicles, or any vehicle displaying any advertising placard or advertisement of any kind, shall be driven within the park or over the parkways of said park system for advertising, demonstration, or other purposes.
13. Motorists shall obey all signs regulating traffic placed in the parks and along the parkways under the jurisdiction of this Commission. In no instance shall a vehicle be operated at a greater rate of speed than thirty (30) miles per hour. Where one direction in roads is designated, traffic in the opposite direction is prohibited. Bus and taxicab parking areas will not be for the use of privately owned vehicles. All vehicles must be parked in parking areas provided.



14. All vehicles driven within said park system shall comply with the requirements of the New York State Motor Vehicle and Traffic Laws.

15. All hackmen, at approved hack stands, shall remain within 20 feet of their vehicles, and in no instance solicit patronage from private vehicles in motion over the roadways, or otherwise obstruct traffic. All drivers of public conveyances shall conduct themselves in an orderly and respectful manner.

16. Boating -- No person shall place, operate, have for hire, or tie up any boat or raft at any structure or other point in any park waters, except where designated, without the written permission of the Commission. This regulation shall not apply in emergencies to navigable streams bordering on park property, or to children's toys. Boats from park concessions shall not be taken from restricted areas.

17. Sports -- No games or athletic contests shall be allowed except in areas where designated. Coasting, skating, skiing, horse-back riding, and such activities shall be restricted to designated areas under such rules as may be posted by the park authorities.

18. Bathing -- No person shall bathe, wade, or swim in any waters, within or adjacent to the parks or parkways, under the jurisdiction of the Commission, except at such times and in such places as may be specially designated by appropriate signs; nor shall any person dress, or undress, in any park area except in bath houses maintained or permitted by the Commission; nor shall any person appear in any public place, under the jurisdiction of this Commission, except within designated bathing or dressing-room areas, in bathing suits or any improper costume.

19. It shall be the duty of every person, claiming to have a permit from this Commission, to produce and exhibit such permit upon the request of an authorized person to inspect the same.

20. Any person offending against any of said ordinances shall be deemed guilty of a misdemeanor and, on conviction, may be punished by a fine, not exceeding one hundred dollars (\$100), or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

#### V. COMMISSIONERS OF ALLEGANY STATE PARK - REGION 2.

Members; appointment; terms; officers.

The Board is composed of seven members, appointed by the Governor, by and with the advice and consent of the Senate, and hold office until their successors are appointed. The Commissioners annually choose from among their members a Chairman and Secretary. Members receive no salary, but are entitled to expenses incident to official duties.

Powers and duties.

The Commissioners are empowered and directed as follows (L. 1928):

# **EXHIBIT 107**

Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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Forestry

Compiled By  
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National Park Service

## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks  
           "          " Lands and Forest  
           "          " Fish and Game  
           "          " Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.



- Cooperation with Pennsylvania. In case the State of Pennsylvania acquires lands adjoining the boundaries of said park and parkways to be used for similar purposes, may cooperate with the said State for the joint control and operation of the park and the adjoining lands in Pennsylvania; also connect roads with roads laid out in the State of Pennsylvania, and to maintain the lands within the State of New York so that the same may form a continuous park;
- Connecting roads. Lay out, construct and maintain roads between and connecting any separate portion of the parks and parkways, and for the purpose acquire rights of way upon and across any intervening lands;
- Accept gifts of money or property. May receive by gift, devise or contribution money to be used in acquiring and improving lands; also receive and administer for park purposes any gift or devise of personal property or any land or rights in land outside the defined park areas and adjoining the same;
- Dams. May dam the streams within the parks, except the main stream of the Allegheny River;
- Cuba reservation. Are vested with immediate jurisdiction and control of the Cuba reservation; the said reservation to be preserved and maintained for reservoir and camping purposes. May make rules and regulations necessary for the use and preservation of the property; make leases or renewals thereof of lots of land adjacent to or surrounding the reservoir for terms not to exceed five years, and permit the erection of structures by the lessees with the privilege of removal during the terms of the lease; to fix the terms and conditions upon which leases are to be made; arrange for sanitation, and provide for the removal of waste matter and to charge lessees of lots therefor.

Note: The Commissioners may supply electric power to dwellings, cottages, camps and concessionaires located upon Allegheny State Park, collecting the price agreed upon. Op. Atty. Gen. (1932) 361.

Commissioners of Allegheny State Park have authority to cut and sell timber on park lands. Op. Atty. Gen. (1929) 140.

## VI. RULES AND REGULATIONS - ALLEGANY STATE PARK COMMISSION.

### 1. PRESERVATION OF PROPERTY AND NATURAL FEATURES.

(a) No person shall injure, deface, disturb or befoul any part of the Park owned by the State; nor any building, sign, equipment or other property found on Park lands owned by the State; nor shall any tree, flowering plant, shrub, rock or other mineral be injured or destroyed on, or removed from such lands without the permission of the Commissioners.



(b) No person shall throw any lighted cigar, cigarette, match or other inflammable substance from any automobile or other vehicle within the area of the Park.

(c) Whenever by reason of drought any forests of the Park are in danger of fire, the Commissioners may close such forests to all persons.

2. GARBAGE, SEWAGE, REFUSE AND OBNOXIOUS MATERIAL.

No person shall deposit in any part of the Park, on lands owned by the State, any garbage, sewage, refuse, waste or other obnoxious material otherwise than in receptacles provided for the purpose or by other sanitary disposal.

3. TRAFFIC.

(a) No person shall operate, or cause to be operated, any motor or other vehicle over or upon Park controlled roads at a rate of speed in excess of twenty-five (25) miles per hour.

(b) No person shall park or store any motor car, motorcycle, bicycle, wagon or other vehicle on Park controlled roads or on lands owned by the State except in places designated for the purpose.

(c) Whenever the Commissioners shall, by suitable signs, indicate lines of traffic upon Park controlled roads, no person shall break such lines or move out of his place therein.

4. CAMPING REGULATIONS.

(a) No camps shall be maintained for any period except at such places as may from time to time be designated for camping and no fires shall be lighted at any time in any part of the Park on lands owned by the State except in places designated for the purpose.

(b) No unnecessary noise shall be made in any of the camping areas between the hours of 11:00 P.M. and 6:00 A.M. during the camping season, except in places designated by the Commissioners for entertainment between those hours.

(c) No person shall reconstruct, alter or change in any way any camp, cabin or other building or equipment owned by the Park and rented or loaned by them except by written permission of the Commissioners.

(d) No person shall use or occupy any cabin, camp or other building or structure in the Allegany State Park on lands owned by the State without a written permit. Such permit to be in the form of a rental receipt or a letter from an executive officer or Commissioner.

(e) The purchase, sale or possession of gasoline in other than red metal containers with the word "Gasoline" conspicuously displayed thereon, is forbidden. This rule does not apply to sale of gasoline for use in automobiles when pumped directly into automobile gasoline tank.

(f) Every person twelve years of age or older in each party making use of Park camping facilities, cabins or campsites must register with the rental clerk.

5. COMMERCIAL ENTERPRISES.

(a) No person shall, without a permit from the Commissioners, sell or offer for sale within the Park on lands owned by the State, any property or privilege whatsoever, nor shall any person to whom property of the Park has been intrusted for personal use, hire, lease or rent out the same to another person..

(b) No person shall take photographs or moving pictures within the Park camping areas for the purpose of selling negatives or prints therefrom without having first obtained a permit from the Commissioners.

(c) No person shall operate a bus, taxicab or other vehicle for the transportation of passengers or property for hire on the Park controlled roads without having obtained a permit from the Commission.

6. FIREARMS.

(a) No firearms may be used or possessed within the Park area by visitors or used by residents except by special permission of the Commissioners.

(b) No target or trapshooting allowed in the Park except by written permission of the Commissioners, or an executive officer..

7. HUNTING AND FISHING.

(a) No person shall hunt, pursue with dogs, trap or in any other way molest any of the wild birds or beasts found within the Park except by permission of, and in a manner specified by the commission.

(b) No person shall fish in any of the Park streams except by written permission of the Commissioners.

8. PUBLIC NUISANCE.

(a) Gambling in the Park is prohibited and no person shall bring into the Park or have in his possession while there, any implement or device commonly used or intended for gambling purposes.

(b) No person shall sell or attempt to sell any beer, wine, whiskey or other intoxicating liquor or beverage within the area of the Park except by permission of the Commissioners.

9. SIGNS.

No sign or notice shall be erected or posted at any place in the Park on lands owned by the State, without permission in writing from the Commissioners.

# **EXHIBIT 108**



Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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Compiled By  
ROY A. VETTER  
Assistant Attorney  
National Park Service



## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

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           "          " Lands and Forest  
           "          " Fish and Game  
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**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.



Purpose of parks  
and parkways.

Such reservations, parks and parkways are to be forever reserved and maintained by the State for the use and enjoyment of the public; it being the duty of the Commission to preserve the reservations, parks and parkways in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty (as amended 1930).

Note: Violations of rules and regulations of a State Park Commission are misdemeanors triable in courts of special sessions. Fines imposed belong to the town, and if the Commission requires counsel it may call upon the district attorney of the county. (1930) Op. Atty-Gen.307.

## X. RULES AND REGULATIONS - FINGER LAKES STATE PARKS COMMISSION.

1. ADVERTISING AND SOLICITATION - No person or organization shall post or distribute advertising matter or orally advertise or sell or offer for sale any merchandise, tickets, service or any other thing of value; or solicit within the park areas in connection with things to be sold or provided outside of the park or while operating a boat for hire, to land or receive passengers at a park dock or wharf, or to operate boats for hire on park waters. No person or organization shall solicit alms or contributions for any purpose.

2. PAYMENT OF CHARGES - No person or organization shall make use of or attempt to make use of the park facilities such as pay parking areas, camping facilities, boathouse facilities, or any other facility for the use of which a charge is made by the Commission, except after payment of the charge or price fixed by the Commission.

3. ANIMALS - No person shall cause or permit any animal owned by him, except dogs restrained by leash and/or horses on roads, driveways, and bridle paths, to enter any park or property under the jurisdiction of the Commission, and each such animal found at large may be seized and disposed of by employees of the Commission. Dogs shall not be allowed at bathing areas under any circumstances.

4. DISORDERLY CONDUCT - No person shall disobey an order of a park patrolman, superintendent, caretaker, State trooper, local policeman or constable, when such officials are engaged in enforcing State or local laws or the Rules and Regulations of this Commission, or use threatening, abusive or insulting language to such officials. No person shall injure, steal or molest park property, including flowers, plants, shrubs and trees, do any obscene act, throw stones or missiles, obstruct roads, walks or docks, set off fireworks of any nature, engage in brawls or fights, annoy or assault other persons, be under the influence of intoxicants, throw or deposit bottles, glass, cans, garbage, refuse or litter in any place except the receptacles provided for that purpose, enter or remain within any park area after the hour officially designated for the closing of such park for the night, park vehicles in any place except the duly designated parking areas and in accordance with the instructions of the park officials in charge of such parking areas, or do any other act that may be a source of danger to park property or annoyance and interference with the public using the parks.



5. HUNTING AND FIREARMS - No person shall carry or have in his possession any gun, firearms, ammunition, or explosives and no person shall hunt or trap within or from the park areas except when especially authorized by the Commission to do so. No person shall engage in fishing, spearing or netting in waters restricted by the Commission against such uses.

6. FIRE DANGER - No person shall start or maintain a fire except in the fireplaces provided for that purpose or at places especially indicated by the official in charge of the park and all fires shall be continuously under the care of a competent person. No person shall allow any fire to injure or destroy any shrub, tree or branches thereof or discard or throw away lighted matches, cigarettes or cigars in such a manner as to create a fire risk of any sort. In addition to the fines or penalties provided for the violation of these Rules and Regulations, any person responsible for fire damage or loss of park property, including trees and vegetation, shall pay to the Commission the full cost of restoring such property to its original condition.

7. SPORTS - Boating or landing of boats within a bathing area is forbidden and all persons operating boats shall conform strictly to the instructions of the official in charge of the park as to the limits of such areas. No person shall operate toilets on a boat or throw refuse or litter into the water in the near vicinity of such bathing areas. Any person bathing in waters not specifically designated as bathing areas and protected by lifeguard service shall do so entirely at their own risk, and if observed, may be ordered by park officials to cease such bathing. Bathing without proper bathing suits, or undressing and dressing outside of duly provided bath-houses and/or in the public view is prohibited. Games of various kinds shall be played only at places provided for such games. No camp shall be maintained in any park except under permit obtained from the park superintendent and at such places and for such periods as he may designate. No skating or use of frozen-over waters shall be permitted except after the ice has been declared safe by the park official in charge.

8. MEETINGS - No person or organization shall hold or conduct any meeting involving ceremonies, speeches, religious services, performances or entertainments except after obtaining a permit to do so.

9. OMNIBUSES, TAXIS, AND TRUCKS - No omnibuses, taxis or trucks shall operate within property controlled by the Commission except by duly authorized permit and the procedure and conduct of persons operating such vehicles shall at all times be strictly in accordance with the instructions of the park official in charge. The rate of speed for any motor vehicle being operated within the park area shall not be such as will endanger the public and in no case in excess of 30 miles per hour.

10. LOST AND FOUND ARTICLES - Any person finding or taking possession of any personal property of which such person is not the owner, shall deliver the same immediately to the Park Superintendent or to the headquarters of the Commission at Ithaca, N. Y., and losers of such property shall apply to the said Superintendent of park headquarters for restoration of articles.

11. PENALTIES - Any person who violates any provision of these Rules and Regulations shall be guilty of a MISDEMEANOR and shall, upon conviction be subject to a fine of not to exceed One Hundred Dollars (\$100.00) or imprisonment for not more than thirty (30) days, or both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than ten nor more than One Hundred Dollars.

BATHING SUIT REGULATIONS - Bathers are hereby forbidden to bathe in the Finger Lakes State Parks without shirts and with trunks only - they, both men and women, must wear a proper suit consisting of shirt and trunks. (Adopted July 14, 1934).

#### XI. CENTRAL NEW YORK STATE PARKS COMMISSION - REGION 5.

Members; appointment; term; officers.	The Commission consists of five persons appointed by the Governor by and with the advice and consent of the Senate, for five years. Four are required to reside in the District; receive no salaries, but are reimbursed expenses incident to official duties. The Commission selects from its members a Chairman, Vice-Chairman and Treasurer, and a Secretary. If a member is selected as Secretary he may also act as Treasurer.
Powers and duties.	The Commission is empowered and directed as follows (L. 1928):
Control of parks.	Is vested with immediate control and management of all parks and parkways in the fifth park region;
Establish parks and acquire land; method of acquirement.	May establish State parks and parkways and acquire lands for such purposes when moneys have been appropriated therefor; such lands to be acquired by purchase, by entry and appropriation, or by condemnation;
Rules and regulations.	May make and enforce necessary rules and regulations;
Employ personnel.	Employ such persons as may be provided for and fix their compensation;
Fix prices.	Fix the prices to be charged by drivers of public conveyances within the limits of such parks, and the prices to be charged by guides for their services;
Conservation powers.	Provide for the protection and propagation of fish and game, and for reforestation of the lands;
Appoint police officers.	Appoint one or more persons for the purpose of enforcing law, order and observance of ordinances established for the government and use of the parks and parkways;
Gifts of property.	Real and personal property may be granted, conveyed, bequeathed and devised to the State and taken in aid of the purposes of such reservations and parks, or to increase



# **EXHIBIT 109**

Foreword

DIGEST OF LAWS  
RELATING TO  
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VOLUME II  
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## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

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           "          " Lands and Forest  
           "          " Fish and Game  
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**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.

the same, and on such trusts and conditions as may be prescribed by the grantors or devisors, provided the same be accepted by the Commission. All such property to be maintained and controlled by the Commission, and the net rents, income and profits to be used exclusively for the purpose of improving the reservations and parks.

Purpose of parks and parkways.

Such parks and parkways are to be forever reserved and maintained for the use and enjoyment of the public, it being the duty of the Commission to preserve the reservations and parks in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty.

## XII. RULES AND REGULATIONS - CENTRAL NEW YORK STATE PARKS COMMISSION.

### ORDINANCES

#### Ordinance No. 1

#### Definitions

Section 1. Definition of terms. Whenever used in any Central New York State Parks Commission Ordinance, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

- (a) "Park" defined: The term park or parks, unless specifically limited, shall be deemed to include all parks, parkways, spurs, open spaces, roads, and boulevards, and also entrances and approaches thereto, docks and piers, and bridges in, leading to or connecting such park or parks or parts thereof and such other rights and appurtenances as the Central New York State Parks Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.
- (b) "Commission": The Central New York State Parks Commission, created by authority of Chapter 193 of the Laws of 1923, and Chapter 242 of the laws of 1928.
- (c) "Ordinance": Any ordinance duly adopted and posted as a Central New York State Parks Commission Ordinance.
- (d) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.
- (e) "Central New York State Parks Patrolman": Any person designated by the Commission as a Central New York State Parks Patrolman and also State Police assigned to the Central New York State Parks Commission.



- (f) "Bridle Path": Any path maintained for persons riding on horseback;  
"Foot Path or Trail": any path or trail maintained for pedestrians.
- (g) "Permits": Any written license issued by or under the authority of the Commission permitting the performance of a specified act or acts.
- (h) "Persons": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.
- (i) "Bathing Area": Any beach or water area designated as a bathing area.
- (j) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking place, or other than in conformity with traffic regulations and other than because of a defect in said vehicle.

#### Ordinance No. 2

##### Construction and Scope of Ordinance

Section 1. Construction. In the interpretation of Central New York State Parks Commission Ordinances, their provisions shall be construed as follows: (1) Any terms in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) Any requirement or prohibition of any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Central New York State Parks Commission Ordinance, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws which are in force in all parks and which are incorporated herein and made a part hereof.

Section 2. Territorial Scope. All Central New York State Parks Commission Ordinances shall be effective within and upon all State parks and parkways which may be under the jurisdiction of the Commission in the Counties of Broome, Chenango, Cortland, Madison, Onondaga, Oswego and Otsego, and shall regulate the use thereof by all persons.

#### Ordinance No. 3

##### Permits

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or his agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Commission, or by its authorized representative, whose action therein shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the



Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Central New York State Parks Commission Ordinance.

#### Ordinance No. 4

##### Prohibited Uses

Section 1. Boating. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed. The use of privately owned boats or canoes on any park waters is prohibited.

Section 2. Protection of Bathing Area. No person shall throw, cast, lay or deposit any glass, crockery, or any part thereof or any metallic substance on any bathing area in or adjoining any park.

Section 3. Firearms. No person except employees or officers of the Commission shall carry firearms of any description within the park.

Section 4. Explosives. No person shall bring into or have in any park any explosive or explosive substance.

Section 5. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purpose except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, or other burning object within, on or against any structure, boat, vehicle or enclosure, or under any tree or in underbrush or grass.

Section 6. Alms and Contributions. No person shall solicit alms or contributions for any purpose.

Section 7. Commercial Enterprises. No person shall, without a permit, do any of the following: - Sell or offer for sale, hire, lease or let out, any object of merchandise, or any other thing, whether corporeal or incorporeal; take photographs within the limits of any park for the purpose of selling the negatives thereof, or prints therefrom, or for the purpose of exhibiting negatives thereof, or prints therefrom in public; while operating a boat for hire, land or receive passengers at any dock or wharf under the jurisdiction of the Commission. No person to whom property of the park has been entrusted for personal use shall hire, lease or let out the same to any other person.

No person shall operate a bus, taxicab or other commercial vehicle designed or used for the transportation of passengers or property, within the park upon park roads without having first received a permit.

Section 8. Advertising. No sign or notice shall be erected or posted at any place in the park without permission in writing from the Commission; nor shall any musical instrument, radio, talking machine, or drum be operated or any noise be made for the purpose of attracting attention to any exhibition of any kind.

Section 9. Gambling. Gambling, games of chance and fortune telling within the park are prohibited; and no person shall participate in the conduct of a lottery, or use or operate any slot machine, or bring in to any park or have in his possession while there any implement or device commonly used, or intended to be used, for gambling purposes.

Section 10. Aviation. No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation, except under permit. Voluntarily in this connection will mean anything other than a forced landing.

Section 11. Meetings and Exhibitions. No person shall erect any structure, stand or platform, hold any meeting, or exhibition, perform any ceremony, make any speech, or address except by permit.

Section 12. Disorderly Conduct Prohibited. No person shall disobey an order of a Central New York State Parks Patrolman or use threatening, abusive or insulting language; do any obscene or indecent act; throw stones or other missiles; annoy persons, interfere with, encumber, obstruct or render dangerous any drive, path, walk, dock, beach or public place, do any act tending to or amounting to a breach of the peace, climb upon any structure, enter or leave except at established entrance ways or exits; engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prize fight, assault any person, spit upon any walk or structure.

Section 13. No person except employees or officers of the Commission shall be allowed within the park between the hours of 10 P.M. and 6 A.M. except under permit.

Section 14. Minors. No parents, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Central New York State Parks Commission Ordinance.

# **EXHIBIT 110**



Foreword

DIGEST OF LAWS  
RELATING TO  
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**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.



Purposes of parks and parkways.

Such parks and parkways to be forever reserved and maintained by the State for the use and enjoyment of the public, it being the duty of the Commission to preserve such reservations and parks in their natural conditions so far as may be consistent with their use and safety and to improve them in such manner as not to lessen their natural scenic beauty.

## XVIII. RULES AND REGULATION - TACONIC STATE PARK COMMISSION.

### Ordinance Number One - Definitions.

Section 1. Definition of Terms. Whenever used in any Taconic State Park Commission Ordinance, the following respective words, phrases or terms, unless otherwise therein expressly defined or clearly limited by the context or subject matter, are defined as follows:

(a) The term park shall be deemed to include all parks, parkways, spurs, open spaces, roads and boulevards and also entrances and approaches thereto, docks and piers, and bridges, in, leading to or connecting such park or parks thereof and such other rights and appurtenances in connection therewith as the Taconic State Park Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.

(b) "Commission": The Taconic State Park Commission, created by authority of Chapter 133 of the Laws of 1925, and Chapter 242 of the Laws of 1928.

(c) "Ordinance": Any ordinance duly adopted as a Taconic State Park Commission Ordinance.

(d) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.

(e) "Park Patrolman": Any person designated by the Commission as a Park Patrolman and also State Police assigned to the Taconic State Park Commission.

(f) "Bridle Path": Any path maintained for persons riding on horseback; "Foot Path or Trail"; Any path or trail maintained for pedestrians.

(g) "Permits": Any written license issued by or under the authority of the Commission, permitting the performance of a specified act or acts.

(h) "Persons": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.

(i) "Bathing Area": Any beach or water area designated as a bathing area.

(j) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking space, or other than in conformity with traffic regulations and other than because of a defect in said vehicle..

Ordinance Number Two - Construction and Scope of Ordinances.

Section 1. Construction. In the interpretation of Taconic State Park Commission Ordinances, their provisions shall be construed as follows:

(1) Any term in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and the neuter; (3) Any requirement or prohibition of any act shall, respectively, extend to and include the causing or procuring directly or indirectly, of such act; (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Taconic State Park Commission Ordinances, provided it is not otherwise prohibited by law or local ordinance shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do, and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws which are in force in all parks and which are incorporated herein and made a part thereof.

Section 2. Territorial Scope. All Taconic State Park Commission Ordinances shall be effective within and upon all State Parks and Parkways which may be under the jurisdiction of the Commission in the Counties of Putnam, Dutchess, Columbia and Rensselaer, and shall regulate the use thereof by all persons.

Ordinance Number Three - Permits.

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof.

Any violation by its holder or his agents or employees of any term or condition thereof shall constitute grounds for its revocation by the Commission, or by its authorized representative, whose action therein shall be final. In case of revocation of any permit all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Taconic State Park Commission Ordinance.

Ordinance Number Four - Prohibited Uses.

Section 1. Boating. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed. The use of privately owned boats or canoes on any park waters is prohibited except under permit.



- Section 2. Protection of Bathing Area. No person shall break, throw, cast, lay or deposit any glass, crockery, or any part thereof or any metallic substance in any park, except in receptacles provided for the purpose or as directed by Park employees.
- Section 3. Firearms. No person except employees or officers of the Commission shall carry firearms of any description within the park.
- Section 4. Explosives. No person shall bring into or have in any park any explosive or explosive substance.
- Section 5. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purpose except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, or other burning object within, on or against any structure, boat, vehicle, or enclosure, or under any tree or in underbrush or grass.
- Section 6. Alms and Contributions. No person shall solicit alms or contributions for any purpose.
- Section 7. Commercial Enterprises. No person shall without a permit, do any of the following: Sell or offer for sale, hire, lease or let out, any object or merchandise, or any other thing, whether corporeal or incorporeal. No person to whom property of the park has been entrusted in person shall hire, lease or let out the same to any other person.
- Section 8. Advertising. No sign or notice shall be erected or posted at any place in the park without permission in writing from the Commission; nor shall any musical instrument, radio, talking machine or drum be operated or any noise be made for the purpose of attracting attention to any exhibition of any kind nor in such a manner as to become a nuisance.
- Section 9. Gambling. Gambling, games of chance and fortune telling within the park are prohibited; and no person shall participate in the conduct of a lottery, or use or operate any slot machine, or bring in to any park or have in his possession while there any implement or device commonly used or intended to be used, for gambling purposes.
- Section 10. Aviation. No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation, except under permit. Voluntarily in this connection will mean anything other than a forced landing.
- Section 11. Meetings and Exhibitions. No person shall erect any structure, stand or platform, hold any meeting or exhibition, perform any ceremony, make any speech, or address, except by permit.



Section 12. Disorderly Conduct Prohibited. No person shall disobey an order of a Park Patrolman or use threatening, abusive or insulting language; do any obscene or indecent act; throw stones or other missiles; annoy persons, interfere with, encumber, obstruct or render dangerous any drive, path, walk, dock, beach, or public place; do any act tending to or amounting to a breach of the peace; climb upon any structure, enter or leave except at established entrance ways or exits, engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prize fight, assault any person; spit upon any walk or structure.

Section 13. No person except employees or officers of the Commission shall be allowed within the park between the hours of 12:00 P.M. and 6:00 A.M. except under permit.

Section 14. Minors. No parent, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Taconic State Park Commission Ordinance.

Ordinance Number Five - Regulated Uses.

Section 1. Hunting and Fishing. (a) No person within the confines of the park shall hunt, pursue, trap or in any way molest any wild birds or animals nor shall any person have any such wild birds or animals in his possession within the park. (b) No persons shall fish in any waters of any park except at such times and such places where fishing shall be permitted.

Section 2. Bathing. No person shall bathe, wade, or swim in any waters under the jurisdiction of the Commission, except at such times and in such places as the Commission may designate as bathing areas, and unless so covered with a bathing suit as to prevent any indecent exposure of the person, nor shall any person dress or undress in any place therein, except in such bathing areas as may be maintained by the Commission. The undressing and removal from the person of street clothes other than coats, jackets, sweaters, shoes and stockings, even though such garments are covering a bathing suit is prohibited.

Section 3. Games. No person shall throw, cast, catch, kick or strike any baseball, golf ball, football, basketball, bean bag or other object except in places designated therefor.

Section 4. Camping. No camp shall be maintained in any park except under permit, and at such particular places and for such specified periods as may be designated.

Section 5. Coasting and Skating. No person shall coast with hand sleds, hobs, carts or other vehicles on wheels or runners, except at such places as may be designated therefor. No person shall use roller skates, except at such times and upon such places as may be designated therefor, or skate, sled, walk or go upon any ice, except at

# **EXHIBIT 111**

Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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Compiled By  
ROY A. VETTER  
Assistant Attorney  
National Park Service

## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks	
"	" Lands and Forest
"	" Fish and Game
"	" Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.



Cooperation with  
New Jersey.

In laying out and maintaining the park, regard is to be given to the laying out and maintenance of such park as may be established by the State of New Jersey along the palisades and Hudson River, and so far as may be, lay out and maintain the park in such manner that a continuous park will be formed.

Note: The provisions of the Constitution (Art. 7, Sec. 7) that forest preserves are to be forever kept as wild forest lands only applies to land of the State now owned or hereafter acquired, and does not prevent the Commissioners of the Palisades Park from acquiring lands which a public service corporation has previously sought to condemn (1917) 164 N.Y.S. 430.

## XX. RULES AND REGULATIONS - COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

### 1. TERMS.

The term "Park" as used hereinafter means the New York Section of the Palisades Interstate Park. The term "Commissioners" means the Commissioners of the Palisades Interstate Park in the State of New York. The term "person" includes persons and corporations.

### 2. PRESERVATION OF THE PROPERTY AND NATURAL FEATURES OF THE PARK.

No person shall injure, deface, disturb or defoul any part of the Park nor any building, sign, equipment or other property found therein; nor shall any tree, flower, shrub, rock or other mineral be removed, injured or destroyed.

### 3. GARBAGE, SEWAGE, REFUSE AND OBNOXIOUS MATERIAL.

No person shall deposit in any part of the Park any garbage, sewerage, refuse, waste or other obnoxious material, otherwise than in receptacles or pits provided for such purpose.

### 4. TRAFFIC.

No person shall drive or propel, or cause to be driven or propelled, along or over any road within the Park any vehicle at a greater rate of speed than thirty five (35) miles per hour, nor around curves or between points so marked at a greater rate of speed than twenty (20) miles per hour.

No person shall move out of his place in any line of traffic at any time established by the Commissioners or by their authority on any of the Park roads.

No person shall park, or store any motor car, motorcycle, bicycle, wagon or other vehicle within the Park except in places designated for such purpose.

No vehicle shall be parked or operated in the Park after dark without lights.

No vehicle shall be parked in the Park after midnight except in places designated for such purpose.



5. CAMPING.

No camps shall be maintained for any period except at such places as may from time to time be designated for camping.

No person shall camp at any place in the Park without first obtaining a permit for such purpose.

6. FIRES.

No fires shall be lighted at any time in any part of the Park except in places designated for such purpose.

No person shall leave a fire until same has been completely extinguished.

7. COMMERCIAL ENTERPRISES.

No person shall, without a permit from the Commissioners, sell or offer for sale within the Park any property or privilege whatsoever, nor shall any person to whom property of the Park has been entrusted for personal use, hire, lease or let out the same to any other person.

No person shall take photographs or moving pictures within the Park for the purpose of selling the negatives thereof or prints therefrom without having first received a permit from the Commissioners.

No person shall operate a bus, taxicab or other vehicle for the transportation of passengers or property for hire within the Park without having first received a permit from the Commissioners. No permit, however, shall be required for the operation of such vehicles from or to points outside the Park through the Park on State, County, State and County, or Town Highways, provided that no stops are made in the Park for the reception or discharge of passengers or property.

No commercial vehicle shall be allowed in the park except as specified above.

No person operating a boat for hire shall without a permit land or receive passengers at any of the docks owned or controlled by the Commissioners.

8. FIREARMS.

No person, except employees or officers of the Commissioners, shall carry firearms of any description within the park. No unauthorized person shall carry any airgun, sling shot, bow and arrow, or any other device whereby a missile may be thrown.

9. HUNTING, FISHING AND MOLESTING WILD LIFE.

No person within the confines of the Park, unless ordered by the Commissioners shall hunt, pursue with dogs, trap or in any other way molest any of the wild birds and beasts found within the confines of the Park.

No person shall fish in Queensboro Brook from the headwaters thereof to its inlet into Lake Nawauhunta.

No person shall fish in Summit Lake, Barnes Lake, Upper and Lower Cohasset Lakes, Upper and Lower Twin Lakes, or in Te Alta Lake between June 15th and September 5th of each year, excepting campers on these lakes and on special permit. On all other lakes devoted to camping, fishing shall cease not later than 8 P.M. daily from July 1st to Labor Day, inclusive. Bathing, picnicking, camping and fishing on Tiorati Brook within the limits of the Park below the Tiorati Lake Dam are hereby prohibited.

FISHING OR CRABBING off any docks the property of the Park along the Hudson River is hereby prohibited except at points designated for that purpose.

10. GAMBLING.

Gambling in the Park is prohibited, and no person shall bring into the Park or have in his possession while there any implement or device commonly used or intended to be used for gambling purposes.

11. SIGNS.

No sign or notice shall be erected or posted at any place in the Park without permission in writing from the Commissioners.

12. GRAZING.

The running at large, herding, grazing or driving of live stock of any kind in or through the Park without a permit is prohibited.

13. DOGS AND CATS.

No person shall bring into, have or keep in the Park any cat or other animal destructive of bird life, nor shall any person bring into, have or keep in the Park any dog unless the same is in leash or a permit for the bringing in and keeping of such dog within the Park has been obtained from the Commissioners.

14. CONDUCT.

The use of loud, boisterous or indecent language, and the interference with any officer of the Park in the performance of his duty is prohibited.

No person within the confines of the park shall be indecently dressed or exposed.

No person shall conduct himself in such a manner as to endanger the life, limb or property of other visitors to the Park.

15. DRUGS.

The possession within the Park of any narcotic drug or intoxicating liquor other than liquor on sale under State license, is hereby prohibited.

16. BATHING.

Bathing, diving or swimming in or off any property of the Park, except at points designated for that purpose, is prohibited.



No person shall change his or her clothing except in the bathhouses provided for this purpose.

#### 17. BOATS.

The propelling, landing or storing of any canoe, boat or any other vessel in or near any waters within or off the Park property is prohibited, except at points designated for that purpose.

No boats or canoes shall be left over night on any lake in the Park, except that organizations occupying camps under regular camp contracts or individuals camping under regular permits may, after securing special boat permits, keep boats or canoes owned solely by the organization or camper on the lakes during the camping season for the exclusive use of said organization and their guests.

No boats propelled by internal combustion engines are permitted upon the lakes of the Park except by special permission.

#### XXI. WESTCHESTER COUNTY PARK COMMISSION AS AGENT FOR THE STATE - REGION 9.

Powers and duties. As Agent for the State, the functions, powers and duties of the above Commission are as follows (as amended 1932):

- |                                      |   |
|--------------------------------------|---|
| Establish parks, etc. Acquire lands. | Lay out, establish, acquire, control, operate, maintain and manage State reservations, parks and parkways in the County of Westchester (which comprises the ninth park region), and to acquire lands for such purposes when moneys have been appropriated therefor. Such lands, when acquired, to become the property of the State. The Commission to have the same duties and powers relating to State lands, reservations, parks, parkways, structures and buildings that they have by statute relative to county parks, lands, structures and buildings; |
| Construct buildings.                 | Construct, reconstruct, complete, alter or repair buildings, structures and other improvements and appurtenances, or demolish or remove the same;   |
| Provide and operate facilities.      | Provide and operate facilities for the use and enjoyment of the reservations, parks and parkways by the public, and for increasing their accessibility to the public as it may determine to be necessary or expedient;  |
| Rules and regulations.               | Adopt and enforce ordinances, rules and regulations governing the use of the areas, and traffic in and through the same; and to provide that the violation of any one or more of such constitutes the crime of a misdemeanor;   |
| Sell materials.                      | Sell and cause to be removed any materials, timber, houses, structures and profits a prendre which it determines to be not necessary or desirable for the uses and purposes of such reservations, parks or parkways;  |



# **EXHIBIT 112**

Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

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UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks	
"	" Lands and Forest
"	" Fish and Game
"	" Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.

Improve municipal lands.	With the consent of the local authorities having jurisdiction thereof, may improve, maintain and use the lands of any municipality adjoining any reservations, parks or parkways acquired;
Impound animals.	Seize and impound cattle or other animals roaming in, on or through any reservations, parks or parkways.
Use of funds appropriated.	Moneys appropriated for the carrying out of the provisions of the law may be used for the purpose of paying salaries, wages and all other necessary expenses incidental thereto.

## XXII. RULES AND REGULATIONS - WESTCHESTER COUNTY PARK SYSTEM

## ARTICLE I

## Definitions and Construction

Section 1. Definitions: Unless otherwise expressly stated whenever used in any park or parkway ordinance rule or regulation, the following terms shall respectively be deemed to mean:

- (1) Beach. The shore and the lands contiguous thereto of any lake, pond, river, stream or other body of water within, abutting upon or adjacent to any park.
- (2) Bronx Parkway Extension. Same as State Parkway.
- (3) "City," "Town" or "Village". Any City, Town or Village wholly or partly within any portion of any park.
- (4) Commission. The Westchester County Park Commission created by authority of Chapter 292 of the Laws of 1922 and the acts amendatory thereof and supplemental thereto, acting under authority vested in it under the provisions of Chapter 559 of the Laws of 1932.
- (5) Crossing. Any crossing, whether marked by a pavement or otherwise, the extension or prolongation of any walk, path, footpath or sidewalk space across any intersecting drive, street, highway, or bridle path.
- (6) Curb. Any boundary of any drive or bridle path, whether or not marked by a curbstone.
- (7) Chauffeur. Shall mean any person who is employed for the principal purpose of driving a motor vehicle or who drives a motor vehicle while in use as a public or common carrier of persons or property.
- (8) Driver. Any person who propels, operates, or is in charge of a vehicle.
- (9) Drive. Any road, street, avenue, drive, access, parkway, roadway or boulevard maintained by the Commission or otherwise, for vehicular use, including the parts thereof under or over any bridge.
- (10) Drive Intersection. Any area bounded by the side lines, real or projected, of one or more drives or streets, which meet or cross other drives or streets.
- (11) Omnibus. Shall include any motor vehicle held and used for transportation of passengers for hire.



- (12) Officer in Charge. Any member of the State Police or any Peace Officer acting as such under the supervision and direction of the State Police.
- (13) One Way Drive. Any drive whereon traffic is restricted to one direction.
- (14) Operator. Shall mean any person other than chauffeur who operates or drives a motor vehicle or motorcycle on any parkway, drive or roadway.
- (15) Ordinance. Any ordinance duly adopted and published as provided by Section 766 of Article 16, Subdivision 4 of Chapter 647 of the Laws of 1911, being Chapter 65 of the Consolidated Laws as amended by Chapter 559 of the Laws of 1932.
- (16) Owner. Any person, firm, association, co-partnership or corporation owning, operating or having the exclusive use of a vehicle, under a lease or otherwise, for a period greater than thirty days.
- (17) Park. The term "Park" or "Parks" unless specifically limited shall be deemed to include all public parks, parkways, reservations, beaches, open spaces, bodies of water, and boulevards, buildings, structures and concessions, owned or controlled by the State of New York in the County of Westchester, under the jurisdiction and control of the Westchester County Park Commission and also entrance and approaches thereto, and streets, roads, docks and bridges between, to, in, through or connecting such park or parks or parts thereof and such other rights and appurtenances as the Westchester County Park Commission shall utilize for the purposes as set forth in Chapter 693 of the Laws of 1923, Chapter 603 of the Laws of 1924, Chapter 16 of the Laws of 1926, Chapter 559 of the Laws of 1932, and the acts amendatory thereof and supplemental thereto, whether the same be now or hereafter owned or acquired, in fee or otherwise, or maintained or controlled by the State of New York.
- (18) Parking Place. Any part of any drive or space in any park or reservation designated as a place for the standing of vehicles.
- (19) Park Waters. The water of any lake, pond, river, stream or other body of water wholly or in part, in, upon, along or in front of any park or reservation.
- (20) Path. (a) "Bridle Path." Any path in any park or reservation maintained for persons riding on horseback and so marked. (b) "Foot Path." Any path in any park or reservation maintained for pedestrians.
- (21) Pedestrian. Shall include all persons making use of any drive or path for foot passage. (a) Equestrians shall include all persons making use of any drive, path or bridle path or any park area for passage on horse back.
- (22) Permit. Any written authorization for the exercise of a specified park or reservation privilege issued by or under the authority of the Westchester County Park Commission permitting the performance of a specified act or acts.
- (23) Person. Any natural person, corporation, company, association, firm or co-partnership.
- (24) Reservation. Any lands or premises owned or controlled by the State of New York in the County of Westchester under the jurisdiction and control of the Westchester County Park Commission as agent for the State.



(25) Rule or Regulation. Any rule or regulation duly adopted and published as provided by Section 766 of Article 16, Subdivision 4 of Chapter 647 of the Laws of 1911 as amended by Chapter 559 of the Laws of 1932.

(26) Safety Zone. Any space (within any drive) established for pedestrians.

(27) State Police. Members of the State Police force created and existing under the provisions of Article 9-A of the Executive Law.

(28) State Parkway. The term "State Parkway" unless specifically limited shall be deemed to include all public parks, parkways, reservations, beaches, bodies of water, boulevards, buildings, structures and concessions owned or controlled by the State of New York, under the jurisdiction and control of the Westchester County Park Commission, and also entrances and approaches thereto and streets, roads, docks and bridges between, to, in, through or connecting such park or parks or parts thereof and such other rights and appurtenances as the Westchester County Park Commission shall utilize for the purposes as set forth in Chapter 693 of the Laws of 1923, Chapter 603 of the Laws of 1924, Chapter 16 of the Laws of 1926, Chapter 559 of the Laws of 1932, and the acts amendatory thereof and supplemental thereto, whether the same be now or hereafter owned or acquired, in fee or otherwise or maintained or controlled by the State of New York.

(29) Vehicle. Any conveyance (except a baby carriage) including a motor vehicle, also a bicycle, tricycle, pushcart or vehicle propelled by muscular power or otherwise, also any horse.

(30) Westchester County Park Commission. The Commission created and existing under the provisions of Chapter 292 of the Laws of 1922 and the acts amendatory thereof and supplemental thereto, acting as agent of the State of New York under and pursuant to the provisions of Chapter 559 of the Laws of 1932.

(31) Construction. In the interpretation of these ordinances, rules and regulations, their provisions shall be construed as follows:

1. Any term in the singular shall include the plural.
2. Any term in the masculine shall include the feminine and neuter.
3. Any requirement or prohibition of any act, shall respectively extend to and include the causing or procuring, directly or indirectly, of such act.
4. No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Westchester County Park Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with said Commission, and
5. Any act prohibited by these ordinances, provided such act be not otherwise prohibited by law or local ordinances shall be lawful, if performed under, by virtue of, and strictly within the provisions of a permit so to do, and to the extent authorized thereby.



## ARTICLE II

## General Provisions

Section 1. Advertising Prohibited. No person shall post, paint, affix, distribute, deliver, place, cast or leave about, any bill, placard, ticket, hand bill, circular, or advertisement; display any flag, banner, transparency, target, sign, placard, or any other matter for advertising purposes; or operate any musical instrument or drum for any purpose whatsoever in any park, or reservation, except under a permit.

Section 2. Air Rifles and Spring Guns. No person shall have or carry while in any park whether concealed or not concealed on his person, any pistol, air rifle, spring gun or other instrument or weapon in which the propelling force is air or a spring or other than an explosive except under a permit.

Section 3. Animals and Fish. No person shall molest, kill, wound, trap, hunt, take, chase, shoot or throw missiles at, remove, or have in his possession, any animal, mammal, reptile, bird, bird's nest or squirrel nest or remove the young of any such animal or the eggs or young of any fish, mammal, or bird, or knowingly buy, receive, have in his possession, sell or give away any such animal, mammal, bird or eggs so killed or taken, or shoot, discharge or throw missiles at any fish in any park waters, or place therein any piscivorous fish, poison or other substance injurious to fish. Nothing in this section contained, however, shall prohibit fishing in any park, reservation or park waters, except where signs are posted prohibiting the same, by persons duly licensed therefor during the open season as provided in the Conservation Law of the State of New York, and the acts amendatory thereof and supplemental thereto.

Section 4. Animals at Large. No unmuzzled dog shall be permitted in any park between the first days of June and November in any year. No person shall cause or permit any animal owned by him or in his custody or under his control, except a dog when restrained by a leash not exceeding six feet in length, to roam, go or be at large in, on or through any park, and any such animal so found at large may be seized and impounded or disposed of as provided by law or ordinance governing the disposal of stray animals on highways or other public places then in effect at the place where such stray animals may be seized.

Section 5. Aviation. No person shall bring, land or cause to descend or alight, within or upon any park or the waters therein, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation.

Section 6. Basket Parties, Picnics and Eating on Beaches. No person shall hold a basket party or picnic or consume any foodstuffs in any park or on any beach except at these places specifically designated therefor.

Section 7. Board Walk and Park Walk. No vehicles, except baby carriages and wheel chairs shall be allowed or permitted on any boardwalk or park walk or path.

Section 8. Coasting. No person shall coast with hand sleds, bobs, carts or other vehicles, on wheels or runners, in any park except at such places as may be designated therefor.



Section 9. Drains and Sewers. No person shall discharge directly or indirectly into any opening or into any gutter leading into any sewer, receiving basin, or drain, in or leading into any park, any sewage, oil, gas or vapor, or any substance which may form a deposit tending to choke the same, or any volatile inflammable liquid, (such liquid being liquid which will emit an inflammable vapor at a temperature below 160 degrees Fahrenheit) or any steam or hot water above 150 degrees Fahrenheit.

Section 10. Destruction and Injury of Park Property. No person shall remove, cut, break, injure, deface or tamper with any tree, shrub or other plant, wild or cultivated, grass, post, railing, chain, guard, lamp, lamp post, seat, table, fire place, tree guard, building, hydrant, fountain, basin, water pipe, sewer, drain, structure, drive, walk, lawn or other property in or upon any park or park street or injure, remove, deface or destroy any sign, inscription, post or safety device in any park.

Section 11. Dogs and Other Animals. Notwithstanding the provisions of Article 11, Section 4 of these ordinances, no dog or other animal shall be permitted on any boardwalk, beach, pool area, or in, around, or upon any amusement device, buildings or concessions.

Section 12. Explosives and Fireworks. No person shall bring into or have in any park any fireworks or explosives including any substance, compound, mixture or article having properties of such a character that alone, or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas or pressure, or any or all of them to produce rapid flaming or combustion, or administer a destructive blow to surrounding objects.

Section 13. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire, except under a permit, or in fireplaces provided by the Westchester County Park Commission therefor, and so designated by signs. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished, and no fire shall be built within ten feet of any shrub or building or beneath the branches of any shrub or in any underbrush. No person shall deposit, throw away or discard any inflammable material, lighted match, cigar or cigarette within, on or against any building, structure, boat, car, vehicle or enclosure, or under any trees, shrubs or in any underbrush or other park surface unless it be to deposit the same in a suitable container provided for the reception thereof.

Section 14. Games. No person shall throw, cast, catch, kick or strike any ball of any kind or other object except in places designated therefor.

Section 15. Guns, Rifles and Revolvers and Ammunition Therefor. No person shall have or carry while in any park whether concealed or not concealed on his person, any pistol, gun, rifle, revolver or other firearms of any class or kind, or any ammunition therefor, except when so authorized by law.

Section 16. Repealed.



Section 17. Hunting and Fishing. No person shall hunt in any park, reservation or park waters without having first received a permit therefor; nor shall any person fish in any park, reservation or park waters where signs are posted therein which prohibit fishing.

Section 18. Injury to Property. No person shall injure, deface, displace, remove, fill in, raise, destroy or tamper with any drive, path, walk, bridge or approach thereto, take up, remove or carry away any asphalt, flagstone, rock, stone, gravel, sand, clay or earth; or make any excavation of any kind, name or nature; or harvest, cut, injure, or remove any ice, or injure, deface, displace, remove or destroy any structure, building, post, traffic sign or signal, railing, bench, seat, platform, stand, tree guard, electric, telephone or telegraph wire, pipe or main for conducting electricity, gas water or wires, or any hydrant, sewer, drain, pipe, main, receiving basin, covering, manhole or vent forming a part thereof, or any appurtenances or appendage connected therewith, or any other property or equipment, real or personal, owned by or under the jurisdiction or control of the Westchester County Park Commission, or appertaining to the creation, government, use or maintenance of any park; or injure, deface, displace, remove, or destroy any sign, inscription, post or monument, erected or marked for any purpose; or any mile-board, milestone, danger sign or signal, guide sign or post or any signal device sanctioned, installed or placed by the said Commission or by the State, County or any City, Town or Village within any park or reservation for the purpose of directing, restricting or regulating traffic, establishing zones or giving information or directions to the public; or interfere with any lamp, lamp post, gas or electric light apparatus or extinguish the light therein, except by proper authority.

Section 19. Intoxicants. No person shall sell or give away or display or drink or cause or permit or procure to be sold, given away, displayed or drunk any alcoholic or spirituous liquors or beverages in or upon any drive, path, walk, parkway building or place within any park, except only such alcoholic or spirituous liquors or beverages as may be specifically permitted by the Commission and only at the places specifically designated and approved by the Commission.

Section 20. Merchandise, Sale Prohibited. No person shall sell or offer for sale in any park any object or merchandise or any other thing, without having first received a permit therefor.

Section 21. Minors. No parent, guardian or custodian of any minor shall permit or allow such minor to do any act prohibited by these ordinances.

Section 22. Overhead Wires. No person shall attach or string any electric, telephone, telegraph, aerial, or other wire, guy, rope or other object or adjust or carry the same into or over any park, drive or park street or construct any conduit whatever for the running of wires beneath the ground.

Section 23. Pictures. No person shall take photographs or moving pictures within any park for the purpose of selling negatives thereof or prints therefrom or reproductions thereof or of exhibiting the same without first having received a permit therefor.

Section 24. Pollution of Park Waters. No person shall, within or without any park, throw, cast, lay, drop or discharge into, or leave in any park or park waters or any tributary, brook, stream, storm sewer, or drain flowing into the same, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of the waters thereof.



25. Preservation of Trees, Shrubs and Grass. No person shall in any park destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any plant, flower, flower bed, shrub, tree, growing thing, plant growth or any branch, stem or leaf thereof or pile or maintain any material or debris of any kind against or upon the same; or attach any rope, cable or other contrivance thereto; or set fire or assist another to set fire to any timber, trees, shrubs, plants, flowers, grass or plant growth; or hitch any horse or other animal or leave the same standing near enough to injure any lawn or grass plot; or go upon the same except where and at such times when permission to do so shall have been given by the Commission to the public.

Section 26. Rubbish and Refuse Matter. No person shall take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on, or suffer or permit any servant, agent, employee, or person in his or her charge, to take into, carry through, leave in, or throw, cast, lay, drop or discharge into or on any park or in any park waters, any ashes, dross, cinders, shells, papers, dirt, sand, oil, grease, clay, loam, stone or building rubbish, hay, straw, grain, sawdust, shavings or manufacturing trade or household waste, old iron or other metal or objects made therefrom or rubbish of any sort; or sick, diseased or dead animals, organic refuse, or other offensive matter, including swill, brine, urine, fecal matter, garbage or rubbish.

Section 27. Sub-Surface Disturbance. No person shall open, expose or interfere with any conduit, water or gas pipe, hydrant, stopcock sewer, basin or other construction within or upon any park, or park street, nor make any connection therewith, except under the authority of a permit and upon the deposit of such sum of money as may be required by the Commission to insure the restoration of the soil, sod, plants, shrubs, trees, sidewalk, pavement, curb, gutter and flagging disturbed in making such opening or connection.

Section 28. Skating and Sledding. No person shall use roller skates, push-mobiles or any other similar device in any park except at such times and at such places as may be designated therefor, or skate, sled, walk or go on any ice in any park except at such times and at such places as may be designated therefor, and until such ice is declared by or under the authority of the said Commission to be in safe condition therefor, and so designated.

Section 29. Solicitation of Alms Prohibited. No person shall solicit alms or contributions in any park for any purpose.

Section 30. Uses of Park Property Prohibited. No person shall use in any manner whatsoever any park property or any part thereof, or any building thereon for any illegal, immoral or bawdy purposes, or for any purpose in violation of any Federal, State, or Municipal law, ordinance, rule, order or regulation, or of any ordinance, rule or regulation of the Westchester County Park Commission now in effect or hereafter enacted or adopted.

Section 31. Obedience to State Police Officers in Charge and Signs. No person shall fail, neglect or refuse, to comply with or obey the lawful direction or command of any member of the State Police and/or officer in charge or any instruction, direction, regulation, warning or prohibition written or printed, displayed or appearing in any park, enclosure, building or other structure, or in any part thereof.



# **EXHIBIT 113**

Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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ROY A. VETTER

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National Park Service

## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks	
"	" Lands and Forest
"	" Fish and Game
"	" Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.



and restrictions as the Commission may deem proper; but the Commission may grant to the county of Nassau or Suffolk, or to any municipal corporation therein, a license or an easement for any public purpose upon such terms and conditions and under such regulations and restrictions as it may deem just and proper; and in addition thereto, may grant licenses or easement to individuals, co-partnerships and corporations, including municipal corporations, to construct sewers, lay water and gas mains and electric conduits within and across such property, and for necessary entrances to parkways from adjoining property in cases where rights of way have been appropriated or condemned for parkway purposes prior to March 1, 1931, and provided that damages will be reduced by such grants;

Rules and regulations.

Is authorized and empowered to make suitable rules and regulations for the proper exercise of the powers and duties conferred and imposed upon it; to adopt ordinances for the government and use of the public reservations under its care, and to enforce observance of all rules, regulations and ordinances; and may from time to time change, modify or add to its rules and regulations, or amend its ordinances so as better to adapt them to the accommodation and comfort of the public using the State parks and parkways, the direction of traffic, the convenient distribution of visitors to the various facilities provided, and the meeting of emergencies arising in connection with the usage and operation of the State parks and parkway system.

#### XXIV. RULES AND REGULATIONS - LONG ISLAND STATE PARK COMMISSION

##### ORDINANCE NUMBER ONE

##### DEFINITIONS

Section 1. Definition of terms. Whenever used in any Long Island State Park Ordinance, the following respective terms, unless otherwise therein expressly defined shall mean and include each of the meanings herein respectively set forth.

(a) "Park" defined: The term "park" or "parks", unless specifically limited, shall be deemed to include all parks, parkways, spurs, open spaces and boulevards, and also entrances and approaches thereto, docks and piers, channels and bridges in leading to or connecting such park or parks or parts thereof and such other rights and appurtenances as the Long Island State Park Commission shall utilize whether the same be now or hereafter owned or acquired by the State in fee or otherwise.

(b) "Commission": The Long Island State Park Commission, created by authority of Chapter 112 of the Laws of 1924, and Chapter 242 of the Laws of 1928.

(c) "Ordinance": Any ordinance duly adopted, posted and published as a Long Island State Park Ordinance.

(d) "Owner": Any person, firm, association, co-partnership or corporation owning, operating, or having the exclusive use of a vehicle, animal or other property under a lease or otherwise.

(e) "Long Island State Park Patrolman": Any person designated by the Commission as a Long Island State Park Patrolman and also State Police assigned to the Long Island State Parks.

(f) "Bridle Path": Any path maintained for persons riding on horseback.

(g) "Foot Path or Trail": Any path or trail maintained for pedestrians.

(h) "Permit": Any written license issued by or under the authority of the Commission, permitting the performance of a specified act or acts.

(i) "Person": Any natural person, corporation, company, association, joint stock association, firm or co-partnership.

(j) "Bathing Area": Any beach or water area designated as a bathing area; and including the water area adjacent to and within 1000 feet of the bathing beaches on the Atlantic Ocean, the bays along the shores of Long Island, and Long Island Sound.

(k) "Safety Zone": Any space within any drive in a park or parkway established for pedestrians.

(l) "Unnecessary Stopping": Bringing a vehicle to a complete stop on the road in a park or on a parkway other than in a parking place, or other than in conformity with traffic regulations and other than because of a defect in said vehicle.

(m) "Channel": Any body of water or part thereof which has been improved by or is under the jurisdiction of the Long Island State Park Commission and is designated as such on the State Boat Channel System maps of the Commission.

#### ORDINANCE NUMBER TWO

##### Construction and Scope of Ordinances

Section 1. Construction. In the interpretation of Long Island State Park Ordinances, their provisions shall be construed as follows: (1) Any term in the singular shall include the plural; (2) Any term in the masculine shall include the feminine and neuter; (3) Any requirement or prohibition of any act shall, respectively extend to and include the causing or procuring, directly or indirectly of such act; (4) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Commission in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission; (5) Any act otherwise prohibited by Long Island State Park Ordinances, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do, and to the extent authorized thereby, and (6) These ordinances are in addition to and supplement the State Vehicle and Traffic Laws and the State Conservation Laws which are in force in all parks and which are incorporated herein and made a part hereof.



### Section 2. Territorial Scope

All Long Island State Park Ordinances shall be effective within and upon all State Parks and Parkways in the Counties of Nassau and Suffolk, and shall regulate the use thereof by all persons.

## ORDINANCE NUMBER THREE

### Permits

Section 1. Permits. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or its agents or employees of any term or condition thereof shall constitute grounds for revocation by the Commission or by its authorized representative, whose action therein shall be final. In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the Commission, be forfeited to and be retained by it; and the holder of such permit, together with his agents and employees who violated such terms and conditions, shall be jointly and severally liable to the Commission for all damages and loss suffered by it in excess of money so forfeited and retained; but neither such forfeiture and retention by the Commission of the whole or any part of such moneys nor the recovery or collection thereby of such damages or both, shall in any manner relieve such person or persons from liability to punishment for any violation of any provision of any Long Island State Park Ordinance.

## ORDINANCE NUMBER FOUR

### Prohibited Uses

Section 1. Advertising Prohibited. No person shall post, plant, affix, distribute, hand out, deliver, place, cast or leave about, any bill, billboard, placard, ticket, handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or any other matter for advertising purposes; or operate any musical instrument or drum, or cause any noise to be made, for advertising purposes, or for the purpose of attracting attention to any exhibition, performance, show or other purpose.

### Section 2. Alms and Contributions

No person shall solicit alms or contributions for any purpose.

### Section 3. Animals

No person owning or being custodian or having control of any animal shall cause or permit such animal to enter any park, and any such animal found at large may be impounded except however, that dogs properly muzzled and restrained by a leash not exceeding six feet in length, may be brought into park areas, except buildings, camping and bathing areas and improved walks or boardwalks and excepting also horses may enter parks as hereinafter provided. Any animals seized as above provided or left in the custody of park employees in kennels provided for such purposes and unclaimed within twenty-four (24) hours will be delivered to a public pound.

Section 4. No person shall without a permit, do any of the following things: Sell or offer for sale, hire, lease or let out, any object or merchandise or any other thing whether corporeal or incorporeal; while operating a boat for hire, land or receive passengers at any dock or wharf under the jurisdiction of the Commission; for advertising or publicity purposes, take moving pictures or photographs within the limits of any park, or buy or sell or publish the negatives thereof or the prints therefrom, or exhibit such negatives or prints



in public, or use pictures or photographs of any park, parkway or park structure.

Section 5. Disorderly conduct prohibited. Any person disobeying an order of a Long Island State Park Patrolman or the directions of any park sign, or using threatening, abusive or insulting language; doing any obscene or indecent act; throwing stones or other missiles; annoying persons; interfering with, encumbering, obstructing or rendering dangerous any drive, path, walk, dock, beach, or public place; doing any act tending to or amounting to a breach of the peace; climbing upon any wall, fence, shelter, seat, statue or other structure; entering or leaving any park area except at established entranceways or exists; introducing, carrying or firing any firecrackers, torpedoes, or fireworks; engaging in, instigating, aiding or encouraging a contention or fight, whether or not a ring or prize fight; assaulting any person; playing games of chance; participating in the conduct of a lottery or using or operating any slot machine, gaming table, or instrument, or bringing in to any park or having in his possession while there any implement or device commonly used, or intended to be used, for gambling purposes; selling fortunes or futures; spitting upon any walk, crossing, safety zone, structure, bridge, platform or stairway; casting, throwing or depositing on any walk, crossing, path, dock, safety zone, structure litter or other substance, shall be guilty of disorderly conduct.

Section 6. Explosives. No person shall bring into or have in said parks any explosive, including any substance, compound, mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds, may decompose suddenly and generate sufficient heat, gas or pressure or any or all of them, to produce rapid flame, combustion, or administer a destructive blow to surrounding objects.

Section 7. Firearms, Weapons and Tools. No person shall have or carry, whether or not concealed upon his person, any pistol or revolver, or any instrument or weapon commonly known as a toy pistol, or in which or upon which loaded or blank cartridges may be used, or any loaded or blank cartridges, or ammunition therefor, except when so authorized by law. No person shall bring into any park, or have in his possession therein, any rifle, shotgun, or fowling piece, or any air gun, spring gun, or other instrument or weapon in which the propelling force is a spring or air.

Section 8. Fires, Lighted Cigars, etc. No person shall kindle, build, maintain or use a fire except in fireplaces provided for the purpose or under special permit. Any fire shall be continuously under the care and direction of a competent person over twenty-one years of age from the time it is kindled until it is extinguished, and no fire shall be built within ten feet of any tree, or building, or beneath the branches of any trees or in any underbrush. No person shall throw away or discard any lighted match, cigar or cigarette within, on or against any building, structure, boat, car, vehicle or enclosure, or under any tree or in underbrush or grass, unless it be to deposit the same in a suitable container provided for the reception thereof.

Section 9. No person shall, between one-half hour after sunset and one-half hour before sunrise, loiter, in a vehicle or otherwise, except under permit or at places designated therefor.



Section 10. Minors. Minors under six years of age shall at all times be under the supervision and control of a parent, guardian or custodian and no parent, guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Long Island State Park Ordinance.

Section 11. Boating in Bathing Areas. Boating of any kind in a bathing area is forbidden except such boating as is necessary to keep such areas properly protected and policed.

Section 12. Aviation. No person shall voluntarily bring, land or cause to descend or alight within or upon any park, any aeroplane, flying machine, balloon, parachute or other apparatus for aviation. Voluntarily, in this connection will mean anything other than a forced landing. These regulations are in addition to the provisions of Article 14 of the General Business Law which are incorporated herein and made a part hereof.

#### ORDINANCE NUMBER FIVE.

##### Regulated Uses

Section 1. Bathing. No person shall bath, wade or swim in any waters under the jurisdiction of the Commission, except at such times and in such places as the Commission may designate as bathing areas, and no person shall bathe, wade or swim or appear in any park unless covered with a bathing suit having both shirt and trunks properly supported with straps or other devices which must be kept in place at all times. The use of trunks only is prohibited. No person shall dress or undress in any park, except in such bathing houses as may be maintained by the Commission.

Section 2. Fishing. Fishing is prohibited in any bathing area or from any bridge, pier, dock, bulkhead or other structure along the edge of or extending into or over any waters under the supervision of the Commission, except such areas as are plainly designated by signs as fishing areas. Fishing is prohibited in all streams, ponds or lakes under the supervision of the Commission except by special permit to be obtained at the headquarters of the Long Island State Park Commission, Belmont Lake State Park, Babylon, New York.

Section 3. Camping. No camp shall be maintained in any park except under permit and at such particular places and for such specified periods as may be designated.

Section 4. Picnics and Outings. The various Park Superintendents and their assistants will regulate the use of recreation facilities under the supervision of the Commission so as to prevent congestion and shall distribute patrons of the park over the park areas in order to insure the maximum use of park areas and in behalf of the comfort of said patrons. All patrons must, at all times, comply with the directions of said Superintendents or their assistants. All organized picnics or outings shall obtain special permits from the Park Commission previous to their arrival at the park.

Section 5. Coasting. No person shall coast with handsleds, bobs, carts or other vehicles on wheels or runners, except at such places as may be designated therefor.

# **EXHIBIT 114**



Foreword

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME II  
MISSOURI - NORTH CAROLINA

FEB 18 1938



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

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## N E W Y O R K

## I. STATE PARKS, PARKWAYS, RESERVATIONS, FOREST PRESERVES.

**Jurisdiction.** State parks, parkways, reservations and forest preserves are under the jurisdiction of the Department of Conservation (as amended L. 1928).

**Commissioner; appointed; term.** A Conservation Commissioner is appointed by the Governor, by and with the advice and consent of the Senate, as the administrative head of the Department, and receives a salary fixed by law. The Commissioner holds office until the end of the term of the Governor by whom appointed, and until his successor is appointed and has qualified.

**Deputy Commissioner; Secretary.** A Deputy Commissioner is appointed by the Commissioner, also a Secretary of the Department. The Commissioner may also appoint, within appropriations provided by the Legislature, such other officers and employees as may be needed for the work of the Department, and prescribe their duties.

**Divisions. Directors.** Statutory Divisions within the Department are as follows, each under the immediate direction and control of a Director appointed by the Commissioner:

Division of Parks  
 " " Lands and Forest  
 " " Fish and Game  
 " " Water Power and Control

**Director of Parks; powers and duties.** The Director of State Parks, subject to direction and control of the Conservation Commissioner, exercises and performs such functions, powers and duties of the Department and of the Commissioner as the Commissioner may assign to him relative to the parks and parkways, lands, grounds, reservations, structures and buildings of scenic, historic and scientific interest and relative to enforcement of the rules of the Commissioner.

**Visitation and inspection.** The Commissioner, and such subordinates and employees as he may designate, have the power of visitation and inspection; and, notwithstanding the provisions of any other law, may adopt general or special rules for supervision and regulating the management, maintenance, improvement and development by the Commission, Commissioners, Society, Board, Trustees, Corporation, Association, or authority having charge thereof pursuant to law, of the parks and parkways, and the sites, grounds, reservations, structures and buildings of scenic, historic and scientific interest under the jurisdiction of the Department.

## ORDINANCE NUMBER TWELVE

Time when Ordinances Shall Take Effect: - All Long Island State Park Ordinances adopted the 16th day of January, 1932, and numbered from One to Four and Six to Twelve, inclusive, and Ordinance numbered Five, Sections Two to Eleven, inclusive, shall upon first being posted and published as required by law, be and become effective upon the 1st day of April 1932. Section One of Ordinance Number Five, amended the 29th day of June, 1933, shall upon first being posted and published as required by law, be and become effective upon the 1st day of August, 1933.

The amendment to Section 1 of Ordinance No. 2 and to section 3 of Ordinance No. 7 of the Long Island State Park Ordinances adopted this 16th day of November, 1935, and the amendment to Section 10 of Ordinance No. 4 adopted the 10th day of October, 1934, shall upon first being posted and published, as required by law, be and become effective upon the 15th day of January, 1936.

XXIV. THE THOUSAND ISLANDS STATE PARK COMMISSION -  
REGION 11.

Members; appointment; terms; officers.	The Commission is composed of five persons appointed by the Governor, with the advice and consent of the Senate, for five year terms (rotated). All are required to reside in the region; receive no compensation, but are reimbursed actual and necessary expenses incurred in performing the duties of office. A Chairman, Vice-Chairman, and Treasurer are selected from its members; also selects a Secretary, who may be from its members; if a Commissioner is so selected he may also act as Treasurer (L. 1932).
Powers and duties.	Powers and duties of the Commission are as follows (L. 1932):
Jurisdiction.	Have immediate control and management of any State park or reservation now established in the eleventh park region;
Acquire additional lands by purchase or condemnation.	Acquire lands for additional State parks and reservations when moneys have been appropriated therefor; such lands to be acquired by purchase, condemnation, or by entry and appropriation;
Rules and regulations.	Make and enforce rules and regulations necessary to effect the purposes thereof not inconsistent with law;
Employ personnel.	Employ such persons as may be provided for by appropriation to assist in the management and to care for the parks and reservations, and fix their compensation within the amounts appropriated therefor;
Fix prices transportation, guide service.	Fix the price to be charged by drivers of public conveyances for carrying persons for hire within the limits of such parks, and the price to be charged by guides for their services;



- Conservation  
never. Provide for the protection and propagation of fish and game in the parks, and for the reforestation of the areas;
- Gifts of property. Real and personal property may be granted, conveyed, bequeathed or devised to and taken by the State for the purposes of such reservations and parks, or to increase the same, and on such trusts and conditions as may be prescribed by the grantors or devisors, provided the same be accepted by the Commission; all such property to be maintained and controlled by the Commission, and the net rents, issues, income and profits to be paid into the State Treasury;
- Appropriations. Moneys appropriated for the care and maintenance of such reservations and parks and for carrying out the provisions of law is to be paid out of the State Treasury to the Treasurer of the Commission.
- Purposes of parks. Such parks and reservations are to be forever reserved and maintained by the State for the use and enjoyment of the public; it being the duty of the Commission to preserve the same in their natural condition so far as may be consistent with their use and safety, and to improve them in such manner as not to lessen their natural scenic beauty.

#### XXVI. RULES AND REGULATIONS - THOUSAND ISLAND STATE PARK COMMISSION.

UNDER THE AUTHORITY GRANTED BY THE CONSERVATION LAW AND OTHER LAWS OF THE STATE OF NEW YORK TO MAKE AND ENFORCE RULES AND REGULATIONS IN CONNECTION WITH THE MANAGEMENT OF THE THOUSAND ISLANDS STATE PARKS, THE THOUSAND ISLANDS STATE PARK COMMISSION HEREBY GIVES NOTICE THAT THE FOLLOWING RULES AND REGULATIONS HAVE BEEN ENACTED AND ARE NOW IN EFFECT. THESE RULES AND REGULATIONS SHALL APPLY TO ALL PARKS, PARKWAYS, LANDS AND WATERS UNDER THE JURISDICTION OF THIS COMMISSION, AND ARE IN ADDITION AND SUPPLEMENTARY TO ALL EXISTING STATE AND LOCAL LAWS. ANY ACT PROHIBITED BY THESE RULES AND REGULATIONS SHALL BE DEEMED LAWFUL WHEN DONE UNDER AUTHORITY OF A PERMIT ISSUED BY THE COMMISSION.

##### No. 1 - ADVERTISING AND SOLICITATION

No person or organization shall post or distribute advertising matter or orally advertise or sell or offer for sale any tickets or service; or solicit within the park areas in connection with things to be sold or provided outside the park. No person or organization shall solicit alms or contributions for any purpose.

##### No. 2 - DISORDERLY CONDUCT

No person shall disobey any order of a park patrolman, superintendent, caretaker, state trooper, local policeman or constable when such officials are engaged in enforcing State or Local Laws or the Rules and Regulations of this Commission, or use threatening, abusive or insulting language to such officials. No person shall injure, steal or molest park property, do any obscene act, throw stones or missiles, obstruct roads, walks or docks, engage in brawls or fights, annoy or insult other persons, be under the influence of intoxicants, throw or deposit bottles, glass, cans, garbage, refuse or litter in any place except the recep-

tables provided for that purpose. No person shall park vehicles in any place except the duly designated parking areas and in accordance with the instructions of the park official in charge, or do any other act that may be a source of danger to park property or annoyance and interference with the public using the parks.

#### No. 3 - HUNTING AND FIREARMS

No person shall carry or have in his possession any gun, firearms, ammunition or explosives, and no person shall hunt or trap within or from the park area except when especially authorized by the Commission to do so.

#### No. 4 - FIRE DANGER

No person shall start or maintain a fire except in the fireplaces provided for that purpose or at places especially indicated by the official in charge of the park and all fires shall be continually under the care of a competent person. No person shall allow any fire to injure or destroy any shrub, tree or branches thereof or discard or throw away lighted matches, cigarettes or cigars in such a manner as to create a fire risk of any sort. In addition to the fines or penalties provided for the violation of these Rules and Regulations, any person responsible for fire damage or loss of park property, shall pay to the Commission the full cost of restoring such property to its original condition.

#### No. 5 - SPORTS

Bathing without proper bathing suits, or undressing or dressing outside of duly provided bath-houses or in public view is prohibited. No camp shall be maintained in any park except under permit obtained from the park caretaker and at such places and for such periods as he may designate.

#### No. 6 - MEETING

No person or organization shall hold or conduct any meeting involving ceremonies, speeches, religious services, performances or entertainments except after obtaining a permit to do so.

#### No. 7 - OMIBUSES, TAXIS AND TRUCKS

No omnibuses, taxis, trucks or peddlers shall operate within property controlled by the Commission except by duly authorized permit and the procedure and conduct of persons operating such vehicles shall at all times be strictly in accordance with the instructions of the park official in charge. The rate of speed for any motor vehicle being operated within the park shall not be such as will endanger the public and in no case in excess of 20 miles per hour.

#### No. 8 - LOST AND FOUND ARTICLES

Any person finding or taking possession of any personal property of which such person is not the owner, shall deliver the same immediately to the Park Caretaker or to the Headquarters of the Commission at Watertown, N. Y., and losers of property shall apply for restoration of such articles.



No. 9 - CLOSED PARKS

No person or organization shall attempt to enter or make use of any park or park property after same has been officially closed for the season.

No. 10 - PENALTIES

Any person who violates any provision of these Rules and Regulations shall be guilty of a MISFEDEANOR and shall, upon conviction be subject to a fine of not to exceed One Hundred Dollars or imprisonment for not more than Thirty Days, or both such fine and imprisonment, and in addition thereto, shall be liable to a penalty of not less than TEN nor more than ONE HUNDRED DOLLARS.

XXVII. ORDER ASSIGNING HISTORIC AND SCIENTIFIC PLACES.

Central New York State Parks Commission:

Montcalm Park  
Spy Island

Finger Lakes State Park Commission:

Newtown Battlefield Reservation  
Squaw Island

Division of Lands and Forests:

Pennington Battlefield  
Crown Point Reservation  
Fort Cralo  
Fort Stanwix  
Grant Cottage  
Guy Park House  
Herkimer Home  
Johnson, Sir William, Mansion  
Lake George Battlefield  
Lester Park  
Lower Landing  
Oriskany Battlefield  
Saratoga Battlefield  
Saratoga Monument  
Schuyler Mansion  
Senate House  
Starks Knob

Taconic State Park Commission:

Clinton House

Palisades Interstate Park Commission:

Knox Headquarters  
Temple mill  
Washington's Headquarters

# **EXHIBIT 115**



Forestry

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME III  
NORTH DAKOTA - WYOMING  
TERRITORIES - INSULAR POSSESSIONS



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

Forestry

Compiled By  
ROY A. VETTER  
Assistant Attorney  
National Park Service



XIII. RULES AND REGULATIONS GOVERNING STATE PARKS UNDER THE  
JURISDICTION OF  
THE OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

1. Above all, visitors to this park are respectfully requested to observe a reasonable and lawful rule of conduct at all times. You are urged to treat this park, and every object therein, as if it were your personal property in which you take an exceptional pride.
2. It is a misdemeanor to write or carve your name on or scratch or mar any tree or object within this park. You are requested to register properly and accurately in the register specially provided for that purpose. Fictitious registration is forbidden.
3. It is a misdemeanor to injure or mar trees in any manner. Branches or leaves must not be broken off. Flowers, wild flowers, plants and shrubs must not be plucked or disturbed. Hunting or disturbing of the birds, wild animals, or wildlife of any sort -- except under possible regulatory limitations -- and then only upon the written permission of the Ohio State Archaeological and Historical Society -- is positively forbidden. It is distinctly understood that this is a "wildlife sanctuary" -- where wildlife is protected from every angle.
4. Fishing in any form, including catching of minnows, is prohibited in any state park under the custody of the Ohio State Archaeological and Historical Society.
5. Shooting of firearms of any description or the carrying of firearms, either loaded or unloaded, in any state park under the control of the Ohio State Archaeological and Historical Society, is positively forbidden.
6. Drivers of vehicles over the roadways within this park must observe a safe and reasonable speed limit at all times. The interpretation of the term "safe and reasonable" will be determined by the superintendent of this park, and in cases where no superintendent is employed, by the Ohio State Archaeological and Historical Society; and it may be construed by either to permit some variations between the control and remote portions of the park and under certain varying situations and conditions. In no instance, however, will the maximum speed limit exceed 20 miles per hour.
7. Use the outdoor furnaces. Build no fires on the ground.
8. Visitors may purchase fuel for the outdoor furnaces in conveniently sized bundles from the resident superintendent of this park. Any profits thus accruing will be applied toward providing better accommodations for the visiting public. Visitors may provide their own fuel when they so desire.
9. All contributions are greatly appreciated and will be used in bettering conditions within the park.
10. Rubbish must be placed in receptacles provided for the purpose. All litter and debris must be cleaned up and the grounds left in as neat a condition as found.

11. Vehicles will be parked in areas set aside for the purpose -- unless special permission is obtained. Drivers of all vehicles will park under the direction of the park superintendent.

12. Visitors, picnickers, and campers will comply with the instructions of the superintendent of this park in every manner. Refusal or neglect to so comply will constitute a misdemeanor.

13. Advertising of any nature or the exhibiting of placards within this park on the part of outsiders is prohibited. Concession stands operated by any person or persons not officially connected with the park management, or the sale therein of any commodity, merchandise, or article, by any such person or persons, is forbidden. The delivery of any commodity, merchandise, or article to any user within this park on the part of any such outsider is strictly forbidden -- except in instances when special written permission has been obtained from the Ohio State Archaeological and Historical Society.

14. Reunions, picnic parties, and groups are advised to notify the resident superintendent as far in advance of their coming as possible. Such groups, coming unannounced, run risk of not obtaining desirable accommodations. You are requested to make reservations well in advance.

15. Drinking of beer or intoxicating liquor is banned.

16. Dogs are not permitted to run at large within this park. Permission of such on the part of the owners or by the person whom the dog accompanies, will constitute a misdemeanor.

17. Visitors must not trample upon the mounds or earthworks; monuments, memorials, ceremonial or ornamental objects and property of any and all kinds must not be damaged; nothing may be marred or injured.

18. This park closes at dark. Visitors must then depart or obtain special permission from the resident superintendent in order to remain. Such permission may be granted only after the park superintendent has been furnished ample proof of the justification of such request and upon the assurance that no damage will result and that rules are observed.

19. Campers furnishing satisfactory representations may camp within the park for a reasonable period. Those desiring such accommodations will first notify the resident superintendent of their wishes and when permission has been obtained they will register their names, addresses and automobile numbers. They will then occupy the area designated and comply with the general rules and regulations.

20. Any person acting in a loud and boisterous manner to the annoyance of another or to the detriment of this park, or who creates a nuisance of any sort similarly annoying or detrimental, may be ejected or arrested and prosecuted or both.

21. Any one who violates a reasonable and lawful rule of conduct, or who fails to observe the rules and regulations governing this and other state parks, under the custody of the Ohio State Archaeological and Historical



Society, may be ejected and is subject to arrest and prosecution. The resident superintendent is vested with police powers and is authorized to arrest violators.

22. The resident superintendent of this park is anxious to extend every courtesy and render any service consistent with the conditions which prevail and with the rules and regulations in effect. Persons will render a distinct service when reporting violations to the undersigned.

THE OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY  
COLUMBUS, OHIO

H. R. MC PHERSON, Curator of Parks

# **EXHIBIT 116**



Forestry

DIGEST OF LAWS  
RELATING TO  
STATE PARKS

VOLUME III  
NORTH DAKOTA - WYOMING  
TERRITORIES - INSULAR POSSESSIONS



UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1936

Forestry

Compiled By  
ROY A. VETTER  
Assistant Attorney  
National Park Service



- Cooperation. The Board to act jointly with a similar Board of the State of Massachusetts and the two bodies so acting to be known as the Blackstone Valley Authority;
- Construction, etc. The Authority to provide for the construction and for the subsequent maintenance and operation of the constructed works by making contracts or agreements with the Federal Government, with the Commonwealth of Massachusetts, the State of Rhode Island, or political subdivisions thereof, or with any duly, legally and responsibly constituted districts or agencies or firms;
- Reports. The Authority to report annually to the Federal Government and to the Governors of Massachusetts and Rhode Island, and to make recommendations for the continuance and improvement of benefits contemplated under the Act.

#### VI. REPRESENTATIVE RULES AND REGULATIONS.

State of Rhode Island  
BURLINGAME RESERVATION  
Charlestown, Rhode Island

Dedicated Forever to the Use and Enjoyment of the People

To the end that it may fulfill its greatest possible usefulness, all who use it and all who appreciate its value are requested to cooperate with the Division in preserving its attractions by helping to enforce the following RULES and REGULATIONS:

1. No person shall light a fire except in a place designated for that purpose by permit, and for which a fee of fifteen (15) cents has been paid; nor leave burning material at any place. A permit will entitle bearer to one bundle of fireplace wood.
2. No person shall hunt, nor shall any person have in his possession any firearm or any wild animal, bird, bird's egg, or nest, or any device or animal used for hunting.
3. No person shall cut, remove or damage any tree, bush, plant, fence, berry, flower, building or other public property or affix a sign.
4. No person shall leave papers, glass, or any other refuse upon the ground, but will place such papers, glass and refuse in receptacles provided for that purpose.
5. No person shall bathe in waters on the Reservation, except at such places as are designated for such use, and then only in proper costume. Undressing in automobiles is prohibited.

6. No person shall hitch a horse to any tree.
7. No person shall use profane or indecent language; or in any way annoy another person; or commit any disorderly or indecent act.
8. No person shall refuse or neglect to obey any reasonable direction of a police officer or any authorized representative of the Division of Forests, Parks and Parkways.
9. Smoking is prohibited in the wooded area of the Reservation.
10. The parking of automobiles between the hours of 11 P.M. and 6 A.M. is prohibited, except by permit at the overnight camping grounds. After office hours of this Division, such permit may be issued by the Foreman-Caretaker of the Reservation, if space is available. The drawing of all curtains in parked automobiles at any time is forbidden. The drawing of some of the curtains before sunset is permitted, but none, with the exception of the rear curtain, may be drawn thereafter. No person shall be allowed on the Reservation between the hours of 11 P.M. and 6 A.M., unless by special permit given by the Division of Forests, Parks and Parkways, or an authorized representative.

By Order Of  
Division of Forests, Parks & Parkways  
Of The  
DEPARTMENT OF AGRICULTURE & CONSERVATION

Any person violating any one of the above rules is liable to a fine of Twenty (20) Dollars for each offense. (Public Laws, Chap. 1466, Sec. 4, 1907 as amended)

#### VII. FIREPLACE PERMIT.

Permission to maintain a fire at a fireplace and picnic in BURLINGAME RESERVATION, for which fee has been collected, is hereby granted to:

Name \_\_\_\_\_ Date \_\_\_\_\_

Fireplace # \_\_\_\_\_ Location \_\_\_\_\_

This permit entitles holder to one bundle of fireplace wood upon presentation at the residence of the caretaker at Burlingame Reservation. Additional wood may be purchased at ten cents per bundle. This permit is granted with the express understanding that if any of the above rules and regulations governing the use of the Reservation are violated, the said permit immediately becomes null and void.

Chief, Division of Forests, Parks & Parkways

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Caretaker or individual disbursing wood for fireplace purpose will detach this certificate for fireplace # \_\_\_\_\_ Location \_\_\_\_\_

Issued to (name) \_\_\_\_\_ Date \_\_\_\_\_  
when presented by bearer, and return same to the Office of the Division of Forests, Parks and Parkways, by mail, at the close of the day that certificate is collected.